

Study on Civil Society Organizations in Tunisia

January 2013



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Abbreviations and acronyms

AFTURD:	Association of Tunisian Women for Research and Development
ALTT:	Association against Torture in Tunisia
AR2D:	Association for Research on Democracy and Development
ATCDC:	Tunisian Association for Democratic Culture and Citizenship
TPES:	Tunisian Association of Political Studies
ATFD:	Tunisian Association of Democratic Women
ATTF:	Tunisian Association for Financial Transparency
ATUGE:	Association of Tunisian Grandes Ecoles
AVERTI:	Association of vigilance and commitment to the Tunisian Revolution and immunity
CGTT:	General Confederation of Tunisian Workers
CNLT:	National Council for Liberties in Tunisia
CONNECT:	The Confederation of Tunisian Citizen Enterprises
FFF:	Foundation for the Future
IFEDA:	Information Centre, training, research and documentation on associations
JDT:	Tunisian Association of Young Democrats
JORT:	Official Journal of the Tunisian Republic
LTDH:	Tunisian League for Human Rights
NGO:	Non-Governmental Organizations
CSO:	Civil Society Organizations
EMHRN:	Euro-Mediterranean Human Rights Network
SMT:	Union of Tunisian Judges
SNJT:	National Union of Tunisian Journalists
TND:	Tunisian Dinar
UGTT:	General Union of Tunisian Workers
UICL:	Union of Industry and Free Trade
UJM:	Union of Administrative Judges
UTT:	Union of Tunisian Workers
VNGi:	International Cooperation Agency of the Association of Netherlands Municipalities

Introduction

Foundation for the Future, fully aware of its role in bringing support and assisting Civil Society Organizations (CSOs), is determined to stand by them efficiently through the changes that several Arab countries, and in particular Tunisia, are experiencing. Indeed, civil society in Tunisia has witnessed profound transformations following the January 2011 Revolution. How to support efficiently Tunisian CSOs in helping them spread democratic culture and position themselves as pivotal players for political reform in Tunisia?

This question can only be answered by undertaking a study of the situation of CSOs in Tunisia, highlighting the specific needs for capacity building in terms of their involvement in the process of reform and democracy, as well as by offering recommendations for possible fields of action that could be targeted for future cooperation programs. This study consists of: i) a mapping of the existing CSOs and their areas of activity, ii) a study of their current and potential contribution to sustainable development, through a strengthened political dialogue at all levels, iii) a study of the challenges and needs to identify for better capacity building, as well as possible solutions to achieve this.

The transformation of the Tunisian community landscape is currently the object of reflections and studies, ranging from diagnoses or data gathering reports, more or less thorough, quantitative as well as qualitative, helpful to identify the most significant aspects of that transformation, to a program of action-research in terms of the capacity building of the “new Tunisian civil society”, post-January14. It is within this context that the present study has been carried out, by focusing on the different components of civil society active in the fields of human rights, the promotion of democracy, citizenship and political advocacy.

This study offers a global panorama of civil society starting from the analysis of a sample of CSOs active in the areas mentioned above by highlighting their capacity to contribute to the current democracy building process revolving around political dialogue. Thus, an assessment of CSOs’ capacities is the ultimate objective of this study. It is hoped that this study will help identify the needs of the CSOs in terms of the development of their potential for dialogue with the government, in order to play their role of advocacy, proposition force and pressure force, and to represent an actual counter power at the national, regional and local levels. Thanks to the study, Foundation for the Future will have a better idea of the specific areas it selects to engage in.

The study does not seek to undertake a detailed and exhaustive mapping of CSOs in Tunisia. Its main objective is to define the needs and intervention potential for Foundation for the Future, according to its priorities and field of action, in order to accompany CSOs through the transitions currently taking place in the Tunisian community landscape. For this purpose, the study focuses on the analysis of the capacities of a specific category of CSOs: young associations active in human rights and working in the interior of the country.

The study of the capacities as well as that of the needs is based on a rather original methodology culminating with the elaboration of a capacity index and a needs index, and which allows for a better appreciation of their present dimensions and for a better targeting of possible sources of support.

The present report represents the final version of this study, and is divided into five parts:

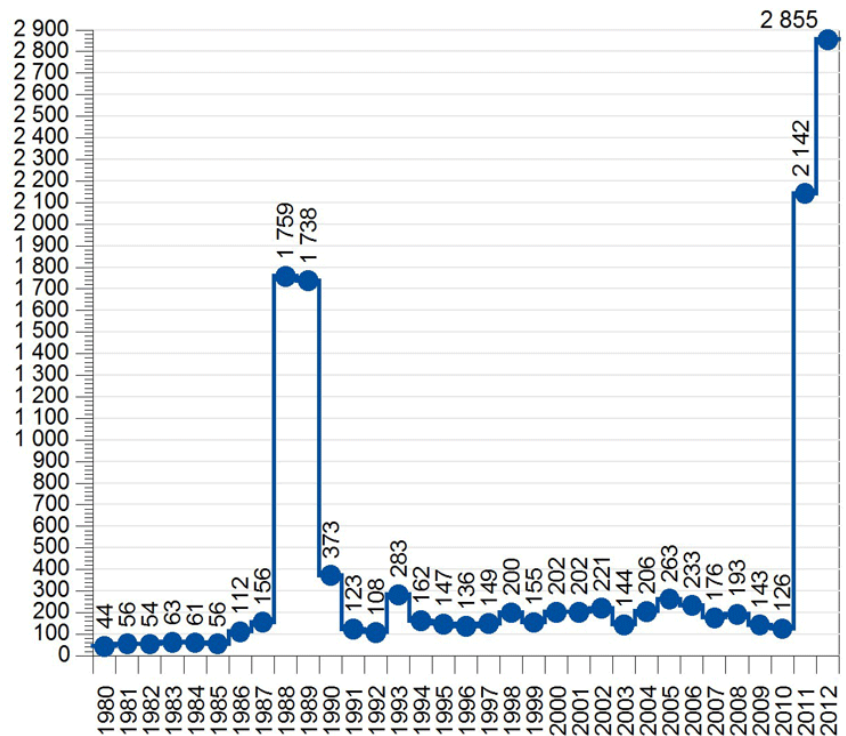
- 1) The first part, which presents the organizations of the civil society in Tunisia, includes a historical background and describes the present context by covering the different types of CSOs, by studying the legal and institutional framework, and by analyzing the relationship between the CSOs and the government;
- 2) The second part focuses on the study of the CSOs' capacities in Tunisia, which presents the results of a survey based on the elaboration of a capacity index.
- 3) The third part deals with the needs analysis of CSOs' capacity building.
- 4) The fourth part presents a study of donors' initiatives in support of CSOs in Tunisia.
- 5) The fifth part includes conclusions and recommendations.

1. Civil Society Organization in Tunisia

1.1 Historical Background and Current Context

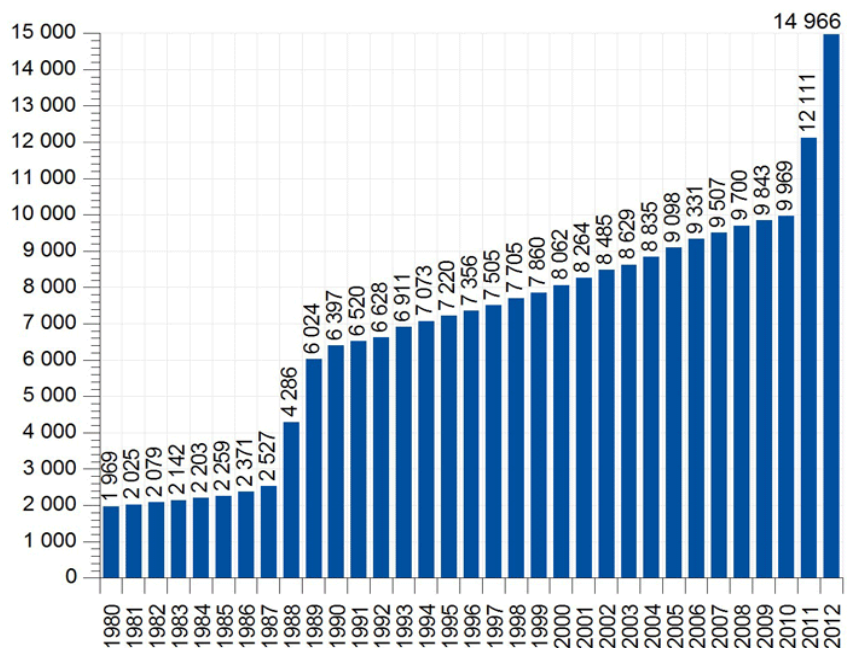
At the beginning of 2013, Tunisia had 14,966 associations, i.e., 1 association for 724 inhabitants (the ratio is 175 for the US and 65 for France). This represents, of course, the total number of recorded associations, and not the number of effectively active associations, reflecting the lack of follow-up and statistics on CSOs' activities in Tunisia. However, the analysis of the dynamics inherent in the birth of associations is quite revealing. At first sight, the most striking aspect is the "boom" of associations following major political events: It was the case in 1988 and 1989 after the 1987 "change" of régime, and it is also the case now after the January 2011 revolution. In the first case, the boom lasted 2 years (before the confirmation of despotism), and in the second case, it is still too early to say whether the phenomenon will last or fade away. Statistics have shown that in 1988 and 1989, 3,497 associations were created (about 1,750 per year) against an average of 75 associations per year for 1980-1987, and from January 2011 to December 2012, 4,997 associations, i.e., about 2,500 a year, against an average of 191 per year in the years 2000's.

Graph 1 : Yearly evolution of the creation of new CSOs in Tunisia (1980-2012)



Source : Data Base IFEDA

Graph 2 : Evolution of the number of CSOs in Tunisia (1980-2012)



Source : Data Base IFEDA

Although the two phenomena of 1988 and 2011 are similar from a quantitative point of view, fundamental differences exist at the qualitative level. Indeed, the emerging associations that intervened massively in 1988 and 1989 were associations for the “action and development of primary schools”. These associations are currently 4, 622 (end of December 2012), two-third of which were created in 1988 and 1989 : 1, 575 created in 1988 represented 89% of the total number of associations created that same year, while 1,439 created in 1989 represented 83% of the total number.

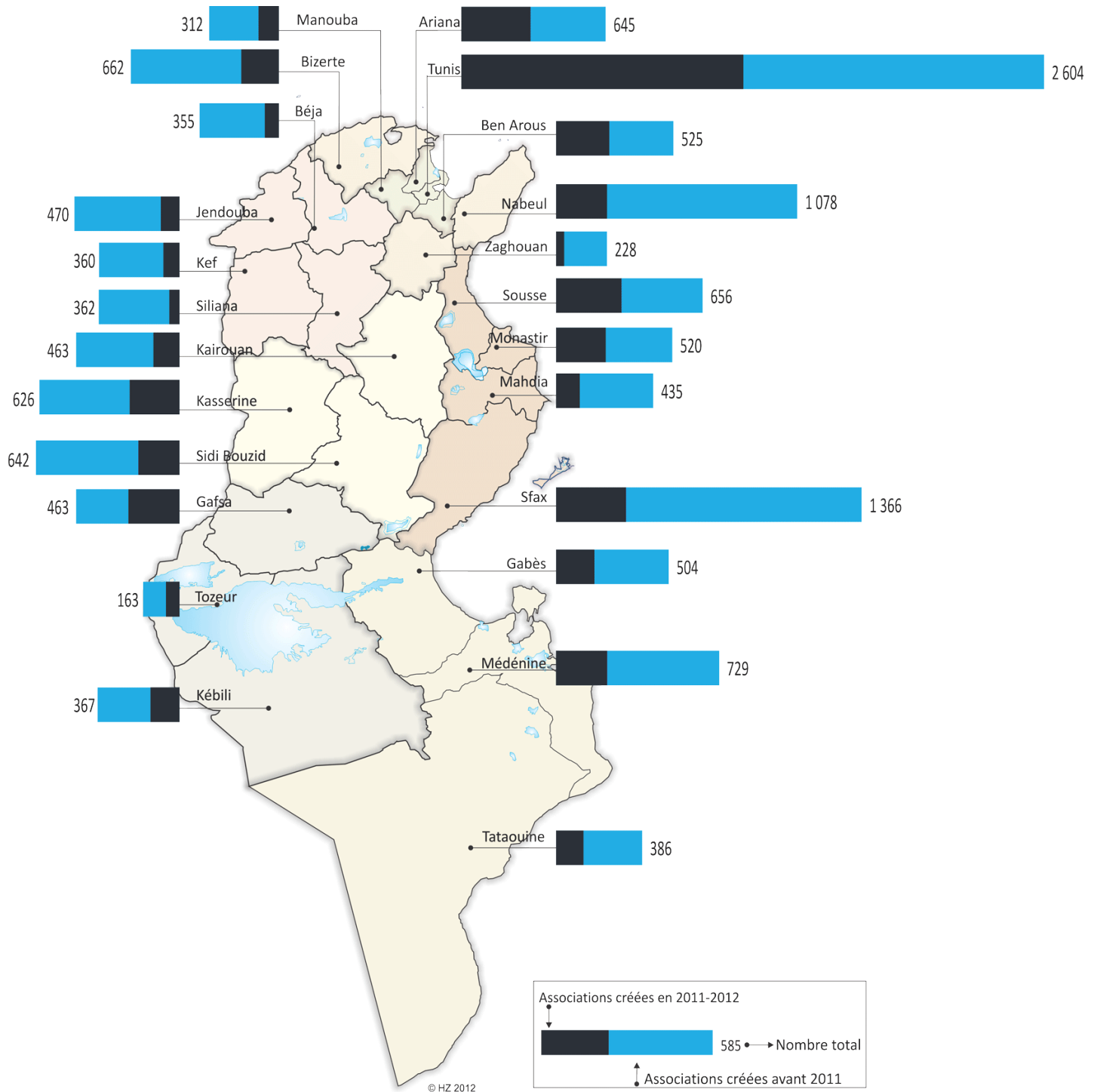
By contrast, the 2011 and 2012 boom is related to the creation of associations active in different areas, especially that of human rights, which were neglected under the former regime. Data collected are evidence of the exceptional dynamics that the community sector witnessed following the revolution – dynamics fueled, undoubtedly, by an upsurge of hope and the determination to initiate real changes in public policy. Suffice to remember that CSOs were at the avant-garde of the protest movement against the former regime. Albeit silenced in the past, they now assume their role as key players in the edification of a pluralistic political system based on the rule of law. CSOs are associations, workers’ and employers’ unions, professional associations, charitable organizations and other grassroots organizations involving citizens at the local and regional level and in the national debate.

Although this “citizen fervor” is the result of a new interplay of dynamics spurred by the newly-acquired freedom, the fabric of community life is not something new, however. True enough, the panorama of community life before January 2011 was for the most part composed of organizations that acted as mere cogs in the political machine of the national government, and therefore were hardly in tune with the reality of societal problems. Present in the “democratic landscape”, these associations through bad practices and bad press, went countercurrent of a few other organizations more involved in social issues, such as human rights and the democratization of political and public life. This minority consisted of ten independent associations before the outbreak of the revolution. They were associations defending human rights such as the Tunisian League for Human Right (LTDH), the Association against Torture in Tunisia (ALTT), the local chapter of Amnesty International, the National Council for Liberties in Tunisia (CNLT), feminist organizations such as TANF and AFTURD, trade unions and professional unions such as the UGTT and the Tunisian Bar Association. This handful of advocacy groups may well have laid the foundations of an emerging culture of civic action.

The post-revolutionary leap in quality as evidenced in the “legitimacy claims” instilled by revolutionary euphoria is visibly manifested in the variety of causes that are espoused today, especially those related to human rights, democracy and citizenship, freedom of expression and the fight against censorship, women's rights and gender equality, social development, solidarity, humanitarian action, the local and regional development, sustainable development etc.. Today, CSOs are able to mobilize many activists, women and youth volunteers, who all share the enthusiasm of their newfound freedom, and are still struggling on their path toward a responsible community life fully assuming its role as a democratizing vector.

This quantitative transformation is accompanied by a reshuffling at the geographical level. For a long time urban and concentrated in large cities, in particular Tunis, Nabeul and Sfax, CSOs have finally penetrated the interior, until recently marginalized, a situation that has increasingly come to express the diversity of the Tunisian society. The emergence of a network of associations in the Central West region (Kasserine, Sidi Bouzid and Kairouan) and in the South (Gafsa and Medenine) is now a clear fact, and appears to have been driven by an increased willingness of CSOs to create networks around common issues, particularly those related to human rights and regional development. The following map shows the breakdown of associations by governorate, according to statistical figures as of January 1, 2013, highlighting the creation of new CSOs since the revolution:

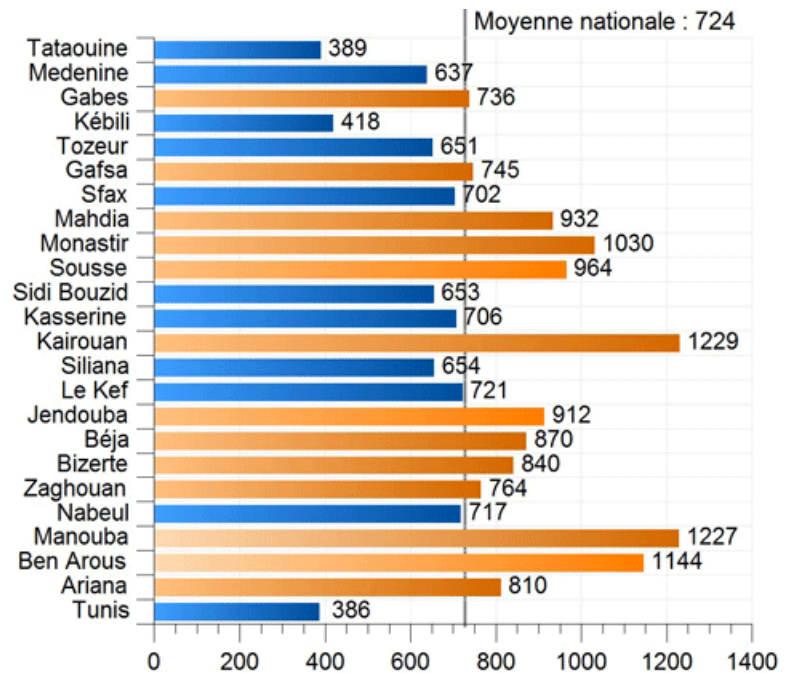
Map 1: Breakdown of associations by governorate (January 1, 2013)



Source: elaborated from IFEDA data

The geographical distribution of associations, based on the number of inhabitants per association, shows a greater density of associations, in the South and West (with the exception of Kairouan) as shown in the opposite graph. The national average is 724 inhabitants for an association. It should be noted that for the Greater Tunis, the high number is due to the exceptional case of the capital: The average ratio of four governorates in the region is 615 inhabitants per association. Likewise, the community fabric in Sfax is denser than the rest of the governorates in the center of the country.

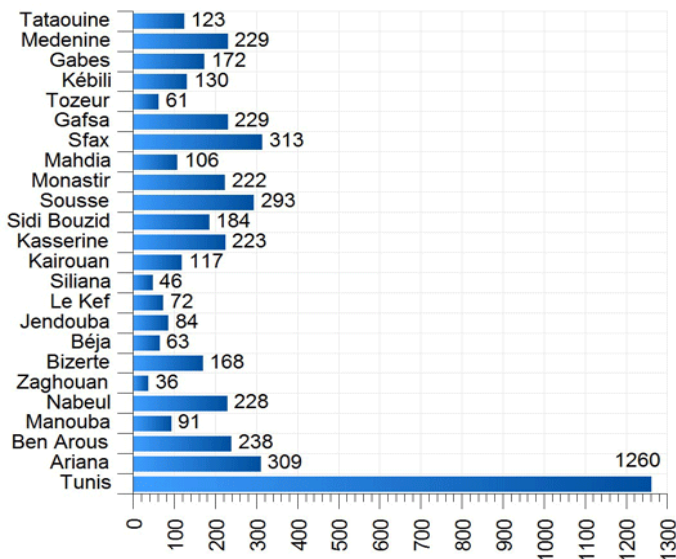
Graph 3: Ratio of the number of inhabitants per association (2012)



Source: Author's calculation based on INS and IFEDA data

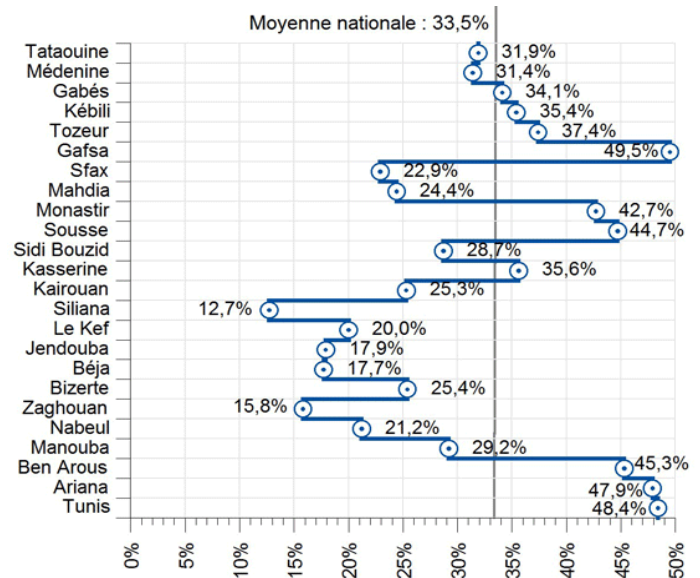
The detailed breakdown of new associations by field of activity and by governorate from early January 2011 to the end December 2012 is found in appendix. In fact, more than a third (33.5%) of Tunisian associations were created during that period, i.e., 4997 new associations bringing the total number to 14,966. The following graphs present the breakdown of these young associations by governorate, by number and percentage. These CSOs show some activism in the South, the Central East and Central West, beside the Greater Tunis (except for Manouba), and a relatively lower activity in the North and Northwest:

Graph 4: Associations created during 2011 and 2012: Breakdown by Governorate



Source: Based on IFEDA data

Graph 5: Percentage of new associations: new associations created in 2011 and 2012 / total number of associations



Source: Author's calculation based on INS and IFEDA data

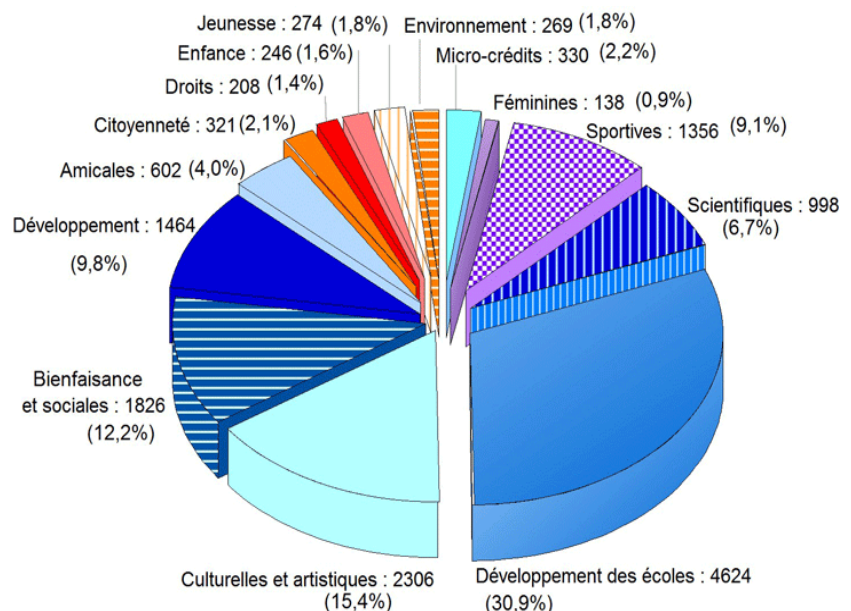
A significant portion of these new associations concerns a new category of CSOs heavily involved in the democratic transition. It is composed of unions such as the Confederation Tunisian General Labour (CGTT), the Union of Tunisian Workers (UTT), the Union of Tunisian Judges (SMT), the Union of Administrative Judges (UJM); of employers' organizations such as the Confederation of Citizen Enterprises of Tunisia (CONECT) and the Union of Industrialists and Traders Free (UICL); of youth groups such as unemployed youth associations, the Association of Young Tunisian Democrats (JDT), the Association for political awareness, and several associations working for democracy, citizen action, transparency and freedom as the Associations created around citizen's covenants, such as the Tunisian League for Citizenship and Touensa, and associations created by groups of Democrats, such as the Tunisian Association for Democratic Culture and Citizenship (ATCDC), the Association for Research on Democracy and Development (AR2D), Democratic Horizons, the Association for the Vigilance and Commitment to the Tunisian Revolution and its immunity (AVERTI), the Tunisian Association for Financial Transparency (ATTF), the Tunisian Association of Political Studies (TPES) and other associations with social and cultural interests.

This effervescence was accompanied, on the one hand, by a trend toward the federation of associations active in similar fields, such as the Forum for Civil Society grouping 50 associations in Sfax, or such initiatives as "Lam Echaml", or the National Anti-Corruption Network or the Community Network for the Environment and Development in Tunisia and, on the other hand, by a movement to integrate the principles of the revolution and the democratic transition in CSOs' objectives and actions, such as the National Union of Tunisian Journalists (SNJT), the Association of Tunisian Grandes Ecoles (ATUGE), national councils and organizations of doctors, filmmakers, etc. However, this trend was rather marginal, and the wide disparity of CSOs could well represent a challenge to their survival in the long run.

1.2 Outline of a Typology of Civil Society Organization in Tunisia

In January 2011, Tunisia had nearly 10,000 associations (9969), among which a very small minority (1%) were development associations and human rights advocacy groups. Despite the rigidity of the regulations, the classification adopted¹ did not permit a clear structuration by areas of activity. Since then, 4997 associations have been created. The graph, opposite, shows the present structure of the 14,966 CSOs identified in Tunisia:

Graph 6: Breakdown of associations by category (January 1, 2013)



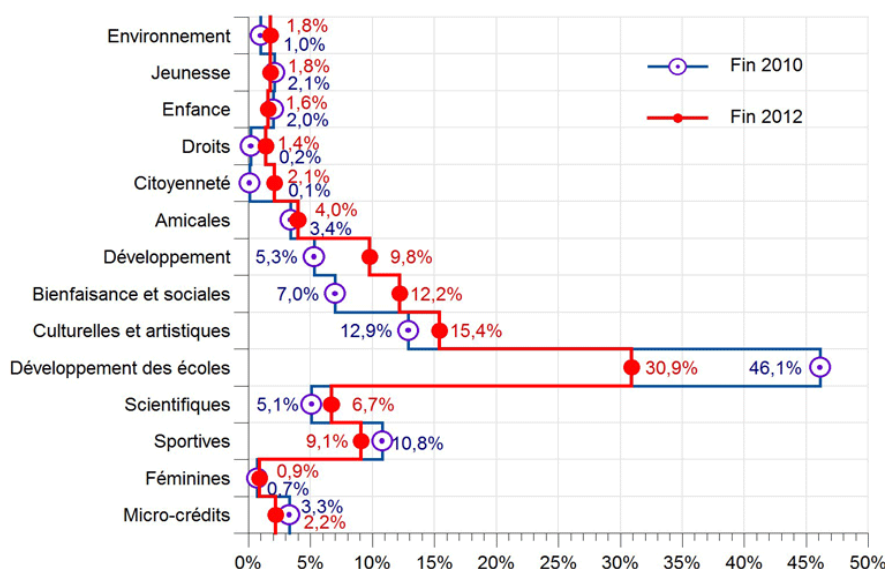
Source : IFEDA

¹ The Organic Law No. 92-95 of April 2, 1992 categorizes associations according to their activities and goals: women's; sports; scientific, cultural and artistic; charitable, relief and of social nature; development; social clubs, General-purpose associations.

Before the revolution, the community landscape reflected a distorted image of the reality of community life, insofar as many associations had no existence but a formal one, and thus, were mere puppets in "the democratic decor of the regime". Now, the community landscape is going through a total restructuring. The new associations have upset that landscape; they are a newer generation of CSOs generally active and heavily involved in the economic, social and political life.

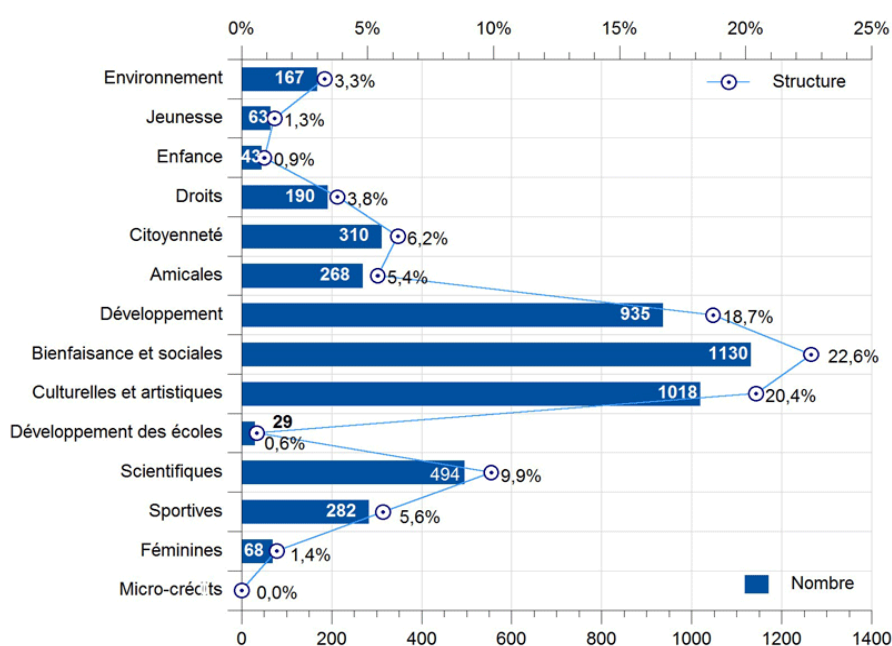
Two phenomena should be mentioned: i) the first is the emergence of charitable and relief associations. Many of these associations show ideological and religious affiliations and often operate according to a particular political orientation. This is the largest number of associations created since January 2011 (1130 associations, representing 23% of new creations); ii) the second phenomenon concerns specific associations operating in the field of human rights: the number of new associations has reached 310 for citizenship associations (their number was limited to 11 before the revolution), 190 for rights associations and 68 women's associations. Similarly, two other types of associations have developed since the revolution, cultural and artistic associations (1018 new associations, 20.4%), and development associations (935 new associations, 18.7%).

Graph 7: Evolution of the structure of the community fabric between December 2010 and December 2012



Source : IFEDA

Graph 8: Associations created after the revolution: background by area of activity



Source : IFEDA

According to this categorization, new associations under the mandate of the FFF, working in the field of human rights, can be found either completely or in part in the following categories: i) "Citizenship": 310 new associations between January 2011 and December 2012 ii) "Rights": 190 since January 2011 iii) "Women's": 68 creations since January 2011; iv) associations established under the categories "Scientific Associations" (494), "Child Associations" (43), "Youth" (63) "Environmental" (167 since January 2011).

The following table shows the breakdown of new associations by region and area of activity from January 1, 2011 to December 31, 2012. The table reveals the predominance of the Greater Tunis region, with about 69% of CSOs active in the field of human rights, 60% of scientific associations and more than 45% of CSOs active in citizenship advocacy. Moreover, we find that over a quarter of associations created in the South are classified under the category "Charitable and social"

Table 1: Creation of associations by region from January 2011 to May 3, 2012

	Grand Tunis	Nord Est	Nord Ouest	Centre Est	Centre Ouest	Sud Est	Sud Ouest	Total
Nombre								
Jeunesse	25	2	3	18	7	2	6	63
Citoyenneté	140	32	12	53	29	14	30	310
Droits	131	16	4	13	12	5	9	190
Environnement	48	23	15	23	18	19	21	167
Dévelop. des écoles	2			18	1	2	6	29
Enfance	11	5	4	12	2	6	3	43
Développement	234	73	77	108	203	120	120	935
Bienfaisance et sociales	368	111	77	214	115	94	151	1 130
Culturelles et artistiques	382	85	48	215	76	108	104	1 018
Amicales	141	12	9	63	12	15	16	268
Sportives	94	35	8	69	27	15	34	282
Féminines	28	6	3	12	5	9	5	68
Scientifiques	294	32	5	116	17	11	19	494
Total général	1 898	432	265	934	524	420	524	4 997
Structure par région								
Jeunesse	39,7%	3,2%	4,8%	28,6%	11,1%	3,2%	9,5%	100,0%
Citoyenneté	45,2%	10,3%	3,9%	17,1%	9,4%	4,5%	9,7%	100,0%
Droits	68,9%	8,4%	2,1%	6,8%	6,3%	2,6%	4,7%	100,0%
Environnement	28,7%	13,8%	9,0%	13,8%	10,8%	11,4%	12,6%	100,0%
Dévelop. des écoles	6,9%			62,1%	3,4%	6,9%	20,7%	100,0%
Enfance	25,6%	11,6%	9,3%	27,9%	4,7%	14,0%	7,0%	100,0%
Développement	25,0%	7,8%	8,2%	11,6%	21,7%	12,8%	12,8%	100,0%
Bienfaisance et sociales	32,6%	9,8%	6,8%	18,9%	10,2%	8,3%	13,4%	100,0%
Culturelles et artistiques	37,5%	8,3%	4,7%	21,1%	7,5%	10,6%	10,2%	100,0%
Amicales	52,6%	4,5%	3,4%	23,5%	4,5%	5,6%	6,0%	100,0%
Sportives	33,3%	12,4%	2,8%	24,5%	9,6%	5,3%	12,1%	100,0%
Féminines	41,2%	8,8%	4,4%	17,6%	7,4%	13,2%	7,4%	100,0%
Scientifiques	59,5%	6,5%	1,0%	23,5%	3,4%	2,2%	3,8%	100,0%
Total général	38,0%	8,6%	5,3%	18,7%	10,5%	8,4%	10,5%	100,0%
Structure par domaine								
Jeunesse	1,3%	0,5%	1,1%	1,9%	1,3%	0,5%	1,1%	1,3%
Citoyenneté	7,4%	7,4%	4,5%	5,7%	5,5%	3,3%	5,7%	6,2%
Droits	6,9%	3,7%	1,5%	1,4%	2,3%	1,2%	1,7%	3,8%
Environnement	2,5%	5,3%	5,7%	2,5%	3,4%	4,5%	4,0%	3,3%
Dévelop. des écoles	0,1%			1,9%	0,2%	0,5%	1,1%	0,6%
Enfance	0,6%	1,2%	1,5%	1,3%	0,4%	1,4%	0,6%	0,9%
Développement	12,3%	16,9%	29,1%	11,6%	38,7%	28,6%	22,9%	18,7%
Bienfaisance et sociales	19,4%	25,7%	29,1%	22,9%	21,9%	22,4%	28,8%	22,6%
Culturelles et artistiques	20,1%	19,7%	18,1%	23,0%	14,5%	25,7%	19,8%	20,4%
Amicales	7,4%	2,8%	3,4%	6,7%	2,3%	3,6%	3,1%	5,4%
Sportives	5,0%	8,1%	3,0%	7,4%	5,2%	3,6%	6,5%	5,6%
Féminines	1,5%	1,4%	1,1%	1,3%	1,0%	2,1%	1,0%	1,4%
Scientifiques	15,5%	7,4%	1,9%	12,4%	3,2%	2,6%	3,6%	9,9%
Total général	100,0%	100,0%	100,0%	100,0%	100,0%	100,0%	100,0%	100,0%

Source: IFEDA

Since the revolution, the CSO classification adopted in 1992 has become obsolete. Indeed, the changes experienced by civil society in Tunisia and the diversity of advocacy themes quickly render the previous official categorization inoperative. The new regulation² abolished that classification. Beyond the intended control tactics underlying that categorization, which civil society was the object, the limited fields of action and the many cross-cutting themes could no longer serve to benchmark the development of a civil society based primarily on the promotion of human rights. Thus, inventorying CSOs in Tunisia remains a field still unexploited, and a systematic CSOs inventory and categorization according to new criteria has now become necessary.

This effort of categorization is recommended especially with regard to human rights associations, which before the Revolution were identified under the generic name "general-purpose", which deprived them of any specificity or visibility. A new categorization of CSOs working in the field of human rights was proposed by the Euro-Mediterranean Human Rights Network (EMHRN), and the new categorization has been used for the present study.

Table 2: EMHRN Suggested categorization of CSOs working in the field of human rights

Category	Definition	Characteristics
Civil and political rights	Civil rights (the right to life, personal liberty, the right to family freedom, the right to private property) Political rights (the right to vote, the right of resistance to oppression, the right to peaceful assembly and freedom of worship)	These rights are individual or public, where the State must refrain from acting.
Economic, social and cultural rights	- The right to work and to fair and favorable working conditions - The right to social security, - The right to an adequate standard of living, - The right to health, - The right to education - The right to participate in cultural life	These are rights that require government involvement to be effective The holder of such rights is always a community.
Solidarity rights	Solidarity within a country, the establishment of new links, equitable and global links of partnership and intra-generational and intergenerational solidarity (Consumer law, human environment, bioethical considerations) - Solidarity between countries (the right to development of peoples and nations and the right to peace)	These are collective rights, which would call upon national and / or international solidarity.
Droits des femmes	Issues commonly associated with notions of women's rights include: - The right to the integrity and bodily autonomy; - The right to vote; - The right to hold public office; - The right to work; - The right to a just wage; - The right to property; - The right to education	Women's rights are the prerogatives of women as such, of all ages, which exist independently of their institution or prohibited by law or custom in a particular society. Women's rights are part of the broader concept of human rights.
Specific rights	These are rights for vulnerable groups such as children, the elderly, people with disabilities ...	These rights are both individual and collective

² The Legislative Decree No. 88 of September 24, 2011 abrogates the previous categorization of CSOs.

In the absence of an inventory and of a systematic monitoring of CSOs, it is not possible today to draw an accurate picture of the "mapping" of civil society in Tunisia. It is however safe to identify some major trends at work, susceptible to shape the community landscape in the next few years, namely:

- ❑ A process of "performance selection" for a majority of associations, both the older ones, which have lost the support of the previous regime, and have no anchor in citizen's life, and the newer ones, struggling to express their motivation and goodwill on behalf of the citizens;
- ❑ The predominance of a few large structures such as associations active in the field of human rights and which show great potential in mobilizing resources;
- ❑ A channeling of community action revolving around themes closely related to democratic transition, transitional justice, the fight against corruption, human media, election observation etc.³, and this despite the richness and diversity of issues addressed by civil society;
- ❑ A lack of actions of the CSOs involved in the promotion of local democracy.

1.3 The Political Context and the Relations between Civil Society and the Government

1.3.1 Legal and institutional mechanisms

It is interesting to note that the evolution of the law on the organization of community life is a very good indicator of major political developments in the country. This evolution refers to a historical process stretching from the establishment in 1960 of an authoritarian regime to the emergence of democratic hope in 2011.

The systematic control of civil society was established in the early years after independence, through the progressive removal of areas of freedom by the regime. Nascent civil society found itself shorn of its organizational and creative skills, which ensured its subservience to the government. Proven effective for nearly three decades, this model paved the way to the underhanded interventionism of the post-Bourguiba regime, whose legislative machine did more than simply prevent the development of civil society, but actually strove to infiltrate it, make it a vassal, a sounding board of the regime. Democratic transition initiated in early 2011 has made a radical change of perspective by enacting a law that would provide civil society with the necessary space for its action.

Obstacles to the development of an independent civil society and citizen's action had their origins in a restrictive or repressive legal arsenal based on Law No. 59 of -154 November 7, 1959 on associations, which erected barriers to entry and multiplied restrictions on the actions of associations.

³ Very much like many CSOs created for the draft of the Constitution, such as the network "Doustourna" or the Civil Constituent Assembly

Subject to an authorization issued by the Ministry of the Interior, the creation of an association was *de jure* and *de facto* under the control of the authorities who had "discretion to grant or refuse a visa" ⁴ without any legal action possible. The visa granted the association legal recognition and the mandatory publication in the JORT gave it the legal existence necessary for the exercise of its activities. The 4-month period following the filing of the request, whose non-conformity could lead to a refusal of visa, was an additional roadblock for citizens intent on citizen action.

This legislation has proved particularly restrictive with regard to foreign associations "whatever the form in which they can possibly hide"⁵ or run by foreigners. Although the new regime established on November 7, 1987 slightly moved to ease visa requirements, it certainly did not repeal them⁶. On the contrary, it introduced new restrictions about the functioning of associations, hardly hiding its intention to take complete control over civil society.

Indeed, the members and the leaders of associations could be sued and could incur a penalty of imprisonment up to 6 months⁷ for violation of the regulatory provisions in force⁸. The discretionary power of the Ministry of the Interior with regard to the temporary dissolution of associations was maintained, and the Ministry could stop their activities, before the competent judicial body could even examine the file. To this repressive mechanism already in place were added exclusive organizational provisions. The official categorization of associations according to the Organic Law 92-25 of April 2, 1992 had blurry and inefficient connotations, and obliged "general-purpose" associations not to refuse, under penalty prosecution, the support of any person showing commitment to the founding principles of the association. The same law, having retroactive powers, prohibited for the first time all those who "perform[ed] functions or responsibilities in the central organs of party leadership" from occupying a high position in management⁹. Some did not fail to see in this the government's efforts to infiltrate organizations or confiscate them, and to confine associations to the margin of any political life that could challenge the foundations of the regime.

Obviously, these downstream control mechanisms, comprehensive and centralized, left little room upstream for institutional catalysts of citizen action. Although some ministries had relations with civil society, such as the Ministry of Environment, the Ministry of Agriculture or the Ministry of Women and the Family, those relations were more one-sided, without the possibility of effective collaboration and involvement of civil society in decision making and in the development of common programs and / or strategies. However, it could not have been otherwise since consultation mechanisms with public authorities were completely inexistent¹⁰, with few, fortunate exceptions : Some local structures (city halls, municipal councils etc.), despite their limited, secondary role of transparent "donors" through ad hoc budget allocations reserved for local associations, were not subject to any regulation involving collaboration with civil society.

⁴ Law no. 59-154 of 7 November 1959, Article 4, *Official Journal of the Tunisian Republic* n ° 63, 22 December 1959

⁵ *Ibid.*, art. 16, 17

⁶ Organic Laws n. 88-90 of 2 August 1988 and 92-25 of April 2, 1992. Now the waiting time is reduced to three months, beyond which the creation of the association is official. In addition, the law No. 88-90 introduces the possibility of appeal. Moreover, the decision to refuse the visa association should "be explained and notified to interested parties." Act No. 7. 59-154 of 7 November 1959, Article 29

⁷ Law n. 59-154, novembre 7, 1959, art 29

⁸ The sentences are heavier at "those who, in any capacity, or assume, continue to assume the administration of foreign associations, *Ibid*» art. 22

⁹ Organic Law n. 92-25 of April 2, 1992, art. 2

¹⁰ "Diagnosis Report on Tunisian Civil Society", p. 6 *Delegation of the European Union in Tunisia, March 2012*

Therefore, the structures of the state supposed to facilitate or instigate actions with civil society associations were reduced to "support" any association promoting effective citizen participation.

However, one could see in the creation, in April 2000, of a "Center for Information, Training, Research and Documentation on Associations (IFEDA)" an attempt to reconcile public authorities with civil society. IFEDA, in addition to its training activities with associations, was working to¹¹:

- ☐ Facilitate contact between the various stakeholders in community life.
- ☐ Assist in the development and implementation of policies and programs aimed at the promotion of community work.

In this historically demotivating context, the promulgation of Decree-Law No. 88 of September 24, 2011, on the organization of associations reflected a radical policy transfer at work and embodied the aspiration of an effective civil society (the Arabic version of the text is in appendix; the official French version is not yet available).

By replacing the Ministry of the Interior with the General Secretariat of the Government as the authority responsible for the creation of an association, the new law put a significant end to coercive practices. The new law eliminated the requirement of a visa and the waiting period, by establishing the simple declaration principle as the basis for the existence of association¹². The publication in the Official Journal, which finalized the legal existence of the association, had to be effected following reception of the returned registered mail receipt accompanying the request¹³.

In terms of the functioning of the associations, no classification is now required and no limitation to the scope of action is introduced, and the criteria for membership are now determined solely by the association. Although the new law maintains the exclusion of politicians in the governing bodies of the association, it gives foreigners the opportunity to participate as ordinary or founding members. The new law repeals all criminal and administrative sanctions against members in the event of non-compliance. In that case, the association can continue to exercise its activity until the court renders its judgment. Contrary to the previous law, where no provision was made with regard to good bookkeeping practices, the new law imposes assigning an auditor if the annual budget of the association exceeds 100 dinars.

Despite concerns raised by some associations about the harmonization of rules and their effective implementation, the new law represents a significant progress towards a better functioning of CSOs. In addition to the impetus given to civil society, the new law creates the ideal conditions for a better synergy between CSOs and the government, which was neglected by the past.

¹¹ <http://www.ifeda.org.tn/francais/presentation1.php>

¹² This measure, incessantly requested by civil society was also intended to address the new situation somewhat complex in which most of the associations created after January 14, 2011 had started their activities without waiting for the 3-month period or for the publication in the Official Journal. With no formal or legal existence they were greatly hampered in their functioning.

¹³ Now, failure to return the registered mail receipt within 30 days of the file submission constitutes in itself proof of receipt of the request.

1.3.2 Analysis of the Government's Views

It is undeniable that the government and public organizations, with their constant, renewed interest in CSOs, consider these preferred partners. Noteworthy are the numerous initiatives involving civil society in the activities of the National Constituent Assembly (ANC), the last of which attracted the participation of 300 associations from all horizons in a debate to "open the doors of the ANC to civil society and to offer CSOs the opportunity to make their voices heard"¹⁴.

The formal recognition of the importance of dialogue with CSOs in regional development has found echo in the "White Book" prepared by the Ministry of Regional Development which calls for "mobilizing civil society around regional development plans through setting up a mechanism of dialogue and cooperation with qualified associations and NGOs, as well as consultative arrangements established by law for the organized involvement of citizens"¹⁵.

However, it is clear that the current situation is characterized by the absence of any legal mechanism or device of cooperation that would be able to institutionalize the dialogue of public authorities with civil society. Consequently, any mutual sharing depends on the good will of the stakeholders, such as a few ministries or regional authorities (governors), whose limited number cannot be regarded as a viable model for collaboration.

If it is true that today the lack of clearly defined strategies and procedures for dialogue between policy makers and civil society suffers from the legacy of a past hostile to civil society, it is nonetheless no less true that it is fueled by CSOs' distrust in the government. In fact, during the interviews conducted for this study, associations reiterated their attachment to their independence vis-à-vis the political world. The constant capacity building effort imposes a certain distance with public authorities, for fear of being co-opted and left without decision-making power. As noted in the "Diagnostic Report on Tunisian Civil Society", while civil society "has issued no radical statement as to whether it would act as counterpower to or cooperate with public authorities", a substantial number of CSOs are intent to stand countercurrent to "partisan" political power, which is rather preoccupying for public authority.

In addition, this distrust is not working one-way: institutions in turn adopt the inertia of the past to perpetuate a context which still asks the question of the legitimacy of CSOs, and still raises the issue of the interests they might represent, and this in spite of positive initiatives adopted toward a reconciliation of CSOs with government authorities. At the present stage of development of CSOs, the Tunisian government, while recognizing the role of civil society in the democratic construction of the country, is deprived of vision and consultation mechanisms, which reduces the possibility of an effective partnership with civil society to a bipartisan consultation without real citizen involvement.

Interviews with some leaders from the public sector and with institutional stakeholders have helped to better understand the vision that the authorities had of the CS and to better define the current and desired situation of dialogue prevailing between the authorities and civil society.

¹⁴ The debate with civil society on the theme "Towards a Participatory Development of the Constitution." was held on September 14-15, 2012 in the headquarters of the ANC. For more details see the following link: [September-15-and-.html](#)

¹⁵ "The White Book", Ministry of Regional Development, November 2011, p. 122. In addition, this document gives a particular importance to Regional Development Boards in effecting collaboration with civil society.

On the overall assessment of the activities of civil society and its relevance to the needs of the moment, officials interviewed have confirmed the qualitative leap made since the revolution. Before the revolution, the situation was sclerotic and the question of civil society was used much more like an artifice, at sporadic times, to preserve the appearances. Since the revolution, the creation of 3000 new associations has changed the deal both quantitatively and qualitatively. Officials understand the demand for participation expressed by CSOs: This is a new development that has long been due, and the fact that associations are now in direct contact with the Public Administration is an achievement in itself. Yet, dialogue has not been completely established. Several factors on both sides of the fence explain this situation.

Institutional stakeholders find that the institutions suffer from several disadvantages: i) a plethora in numbers with a dispersion of resources in tight connection with the tiny dimensions of the majority of associations, ii) a lack of traditions because of their young age, iii) a blatant lack of professionalism and very limited capacity management and communication, iv) very modest financial means, v) political affiliations often very strong, which represent a handicap. On the other hand, they find several positive aspects such as: i) a strong determination behind the action of several associations, ii) their presence, covering the entire territory, iii) emerging expertise in networking and collaboration, at the national and international levels.

Priority areas perceived by the institutional stakeholders on the capacity building of associations are found at two levels: i) management associations (organization, establishment of a democratic process of decision-making, internal and external communication, etc...) ii) the management of projects ranging from the formulation of funding proposals, to monitoring and evaluation, to management implementation.

From the point of view of associations, several weaknesses of public institutions are causing the slow development of dialogue with civil society. There is primarily the lack of institutional framework. Related regulations are lacking, and when they exist (as the decree-law on access to information¹⁶), they are very recent. Thus, in a situation characterized by the absence of clear institutional references and operating procedures, dialogue has often depended on initiatives here and there, most often resulting from personal assessments by institutional stakeholders.

In fact, there is no tradition of dialogue with civil society. Thus, in a context where the mechanisms and tools have not yet been developed, the status of the existing dialogue is subject to the uncertainty as to the convergence of two elements: i) government's initiatives and ii) pressures exerted by civil society. Several observations support this conclusion.

The example of the ANC is quite telling. Indeed, the ANC developed tools for dialogue with civil society by creating a committee, composed of six members, responsible for the relations with civil society. Moreover, the six constituent committees of the ANC invited associations to attend sessions contributing to the work of these committees in drafting the Constitution. In addition, civil society did not content itself with participatory dialogue within the walls of the ANC; the dialogue was mostly established outside the ANC's premises, through the pressure exercised by the SC in the formulation of its position with regard to the constitutional draft, playing thus an advocacy role in organizing protest demonstrations or contributing recommendations during closing seminars and roundtables.

¹⁶ Decree-Law No. 2011-41 of 26 May 2011 concerns public access to documents held by public agencies.

At the level of the central government, the existing dialogue mechanisms are not on a par with the requirements of the current transitional period. I must say that very few mechanisms have been developed. The best cited are the "national consultations" that were used before the revolution to create an "illusion" of participation, which was neither effective nor efficient. The most apparent dialogue now takes on an episodic nature, following the whim of a few meetings or seminars organized randomly. In addition, officials interviewed on whether they believed strongly in the value of collaboration with CSOs did not offer precise mechanisms, and often remained undecided about openness and the communication of data and information, specifically because of the lack of traditions in the matter.

The lack of dialogue Authority-CS is acutely felt at the regional level. Indeed, the regional dimension is almost absent from the areas of intervention of civil society in Tunisia. This is largely explained by the absence of regional delegates and regional electoral issues, thence a lack of democratic traditions at the regional level. Implementation of the principles of decentralization addressed by the draft of the constitution, and aimed at the introduction of decentralization at three levels (local, regional and district level), is certainly going to lead to a significant development of CSOs' activities on a regional scale. The current dialogue at the regional level has strong political overtones, echoing the debates and political wrangling of this transitional period.

According to many officials, the local level is the privileged field of development of CSOs. First and foremost, civil society epitomizes the concerns of local citizens, who have the advantage of proximity, and democracy is above all a question of organizing local citizens. Here, a wide variety of situations is observed across regions, in a current context marked by the absence of elected municipal councils and their replacement by special delegations.

Political stakes are not absent from the current dialogue between CSOs and local communities. This is further complicated by the existence the "Leagues for the Protection of the Revolution" and several associations allied to *Ennahda*. However, associations play an important role at the local level and there exist several examples of successful collaboration between the local government and CSOs. Potentially, CSOs can play a more important role and can take certain responsibilities and connect local communities with one another for better city management. This requires the implementation of several prerequisites including the development of shared and accessible information, the establishment of mechanisms for participation and consultation, responsible and skillful participation in planning city projects. Examples of tools used have to do with city planning strategy, city charters, participation in investment projects, and the creation of citizen's juries [town meetings].

In terms of perspectives, it should be noted that the lack of local prerogatives significantly inhibited the development of community activities at the local level. Indeed, there is a virtual absence of CSOs in key areas such as education and health. The fact that these social sectors do not come under the prerogatives of communes failed to create a dynamic community fabric in those areas. The expected increase in the powers of local authorities and the establishment of regional decentralization will surely lead to the emergence of a civil society involvement in those social areas, and the development of social dialogue and cooperation with both the local and the regional authorities.

1.4 Review of previous studies

The social turmoil of the last 2 years keeps raising the interest of different technical and financial partners in the future of the new civil society in Tunisia, its aspirations and the role it assumes in this transitional phase, as well as in meeting the needs to ensure sustainability and professionalism. Although several studies represent the sponsoring organizations' genuine need to learn more about the new reality of community life, they tend to reflect the specific interests of those sponsors, and debate issues which are quite different. Faced with an increasing number of studies in progress, in an effort of coordination and knowledge sharing, the United Nations Development Program (UNDP) organized a dissemination workshop which welcomed the presentations of many development agencies and cooperation, as well as that of regional and international NGOs with the aim to inform the public about the dynamics of civil society¹⁷. Below are the main themes of those studies which have contributed to a better understanding of their originality and contribution.

1.4.1 The EMHRN study

The EMHRN study is entitled "Establishment of a Directory of Associations and NGOs in Tunisia: Building the Capacities of Influence and Action of Human Rights NGOs," Euro-Mediterranean Rights.¹⁸ (October 2011). This study was the first on the post-revolutionary society. Its aim was to draw up a new mapping of community life while "contributing to the development of a strategy for the capacity building of the influence and work of associations, and to the promotion of democracy." In so doing, it made possible the cross-referencing of sources and the creation of a comprehensive inventory of all associations as of 30 June 2011. This was a task all the more important that many news organizations had not hitherto been listed or had no legal existence, while many others only existed on paper and had little involvement in the field.

To assess community experience, the research used several quantitative and qualitative tools (remotely administering 250 questionnaires, arranging interviews and creation of focus groups), particularly with regard to the level of activity of associations, the mobilization of resources, the difficulties encountered by the new associations and their expectations. It gave a first description, "ready-handed", of post-revolutionary community life, which identified the main lines of support in terms of old and new associations.

On the one hand, the study highlighted the quasi-absence of community life before January 14: among the "9600 associations and NGOs, according to official statistics, [...] only a hundred [was] really active in the areas of development, the promotion of women's rights and human rights," while most of the remaining structures resembled empty shells. On the other, the new dynamics of community life after January 14 seemed to have been characterized by:

- ❑ A systematic failure in monitoring new associations. Therefore, a large number of associations are not yet listed;

¹⁷ Held on June 27, 2012 this workshop was followed by a summary note outlining key recommendations regarding future support to Tunisian civil society.

¹⁸ The Euro-Mediterranean Human Rights established in 1997 is composed of more than 80 members representing organizations defending human rights, institutions and individuals based in 30 countries of the Euro-Mediterranean region. The Network promotes the universal principles of human rights. Its members are convinced of the value of cooperation and dialogue within its borders and beyond. Although it has always been at the forefront of the protection of human rights in Tunisia, it was not until January 14, 2011 that it was able to set up a branch in Tunis. (Source: Study EMHRN)

- ❑ A geographical concentration predominant in urban centers: The Greater Tunis, and Sfax to a lesser degree, for all the categories combined;
- ❑ The breakthrough of charitable and/or development associations in the regions of the interior in particular Medenine and Gafsa, but also Kairouan, Le Kef, Kasserine and Sidi Bouzid;
- ❑ An awareness of environmental issues, particularly in the region of Nabeul;
- ❑ The ongoing restructuring of activities or their interruptions; the dissolutions of a few associations, new and old;
- ❑ The repositioning of large associations traditionally engaged in the defense and / or promotion of human rights at the national level, which found a new impetus in themes related to democratic transition;
- ❑ The explosion of a community cyber-activism together with a proliferation of associations present on the net. On the other hand, these "new generation [associations] direct[ed] their interventions at themes related to the items on the agenda of the democratic transition, i.e., civic education, unemployment, citizenship, transparency, electoral parity, political training".

In an effort to understand the new situation, the study pointed to the particular dynamism of activist groups in the areas of human rights, representative democracy, local development and election watch. In its analysis, the study concluded that these associations "have very diverse characteristics, politico-cultural affiliations, modes of operation and fields of intervention. Some have been able to put in place efficient mechanisms for their sustainability, while others are still vulnerable. Most of them are trying to build their capacity by seeking strategies for individual and collective development. They need targeted support tailored to their needs, their dynamics and their ethics." In general the needs of associations were varied, yet the need for financial survival seemed to cut across all the associations of the new civil society. It is worth noting that the trend toward foreign donors, considered a vector of credibility in international circles, hardly failed to arouse the suspicion of older associations, however. It is likewise recommended not to overlook the importance that the study gave to the low representation of women in governing bodies of associations: Women tended to remain attached to their autonomy and to shy away from the political sphere.

As regards future support to this emerging and ebullient civil society, the study suggested two types of assistance: assistance to "fund-seeking proposals" and assistance to the "structure of the proposals." In the former, the emphasis was placed on the Associations for the Defense of Human Rights (ADDH) "seasoned, having [already] acquired relatively advanced capabilities." Such nuanced support based on the assistance requested or the need expressed would be offered in the form of "*à la carte* training, counseling, assistance for the development of economic or technical studies, contacts with institutions, etc...." On the other hand, assistance to the structure of the application gave priority to "ADDHs in full development or having difficulty of moving from one stage to another" with, in the end, an "approach connected to external intervention, but that would take into account a participatory definition of needs." Such a "customized" approach would include, among other things, "the identification of needs of the groups targeted by the action of the association in order to facilitate the information flow between the members and adherents".

At the end of the survey, the study proposed a new categorization of associations of human rights to ensure better visibility of goals, greater capacity for action and networking synergy. At a time of profound changes in community dynamics, the study made possible to quantify the proportions and examine the contours of the situation, laying the grounds for further research. In this regard, it

corresponds to a strongly felt need at a particular moment and provides interested stakeholders with a first draft on the Tunisian civil society.

1.4.2 The UNDP study

In February 2012, UNDP conducted a study entitled "The Current Situation of Tunisian Civil Society in the Promotion of Active Citizenship." The UNDP mapping study prolonged that of the EMHRN, limiting its scope, however, to voluntary associations working "in the field of citizenship education for young people and women, to promote their civic engagement at the national, regional and local levels." The evaluation included both a qualitative analysis of the legal and institutional context in which CSOs operated and the elaboration of a grid of needs related to CSOs' capacity building, such as those revealed in interviews conducted with CSOs. In addition to the contribution of existing documents, the study was based on the information collected from 99 organizations in different parts of the country through face to face interviews.

Study findings revolved mainly around the following aspects of community life:

- ❑ Citizenship education calls for the development of an Initiation Plan for the promotion of active citizenship in Tunisia, in particular translating the urgent need for a "unifying definition and structure of content, approaches and mechanisms related to citizenship education" but also "the identification of stakeholders with projects for the learning and practice of active citizenship". Particular attention was paid to women and young people "as motors and guarantors of a corporate citizen."
- ❑ Priority to learning practices of good governance as "internal democratic process and a participatory approach with members, beneficiaries or participants in the action of the association." It is clear that the inertia of the past was particularly felt for most associations in the form of little consensual management reflecting "the dominant image in society, namely the despotic power, the presidency for life, the democratic simulacra".
- ❑ Operational usefulness of networking – the "intra" as well as the "inter" categories. In the first case, efforts were to be made to "create a network of associations belonging to the same group to coordinate their thoughts and actions." Players would have their own area of intervention for capacity building. These interventions would be carried out within a "common framework of activities, skills and training." In the second case, actions would be carried out to federate associations whose fields of action were certainly different, but whose objectives could, at some point, coincide. Such a structure seemed more desirable for local development associations.

The development of expertise in communication strategies allowed organizations a greater presence with regard to their target populations and the society in general, and in particular with the decision-makers. In broad outline, the study reiterated the approach and findings of the UNDP study regarding the intervention strategies to choose in support of civil society. The sought bias toward associations active in the field of citizenship education for young people and women does not make the study any less pertinent, and findings underscore the fact that citizenship education had already become, "a crucial issue for the construction of the new Tunisia - Tunisia as a free, prosperous and democratic, which emphasizes the respect for the law and life together", while focusing more on the necessity for adequate internal functioning of the associations - governance, autonomy - as well as the need for networking and partnership development.

1.4.3 The study of the European Union

The Representation of the Commission of the European Union in Tunisia in March 2012 prepared a study entitled "Report on the Diagnosis of Tunisian Civil Society." This study can be considered an extension of the first two studies insofar as it sought to probe specific aspects and needs to support civil society. This is certainly an orientation peculiar to the institution, but can nevertheless provide a less specific diagnosis of the Tunisian civil society "in relation to the social, economic and political context" with the objective of avoiding "standard or one-size-fits-all solutions."

Based on a participatory approach, and the feedback of six regional workshops to which 150 organizations were invited, the study hoped to identify "the main types and levels of action to strengthen [CSOs'] capacities and skills as actors in the political dialogue, and actors as well in the edification of a rule of law, and in supporting socio-economic development." By providing a diagnosis of civil society through a SWOP analysis addressed to 62 associations, the study highlighted, beyond the enthusiasm now emblematic of the period, the lack of organization of Tunisian CSOs, old or recent and the need to unite energies for better efficiency. The global diagnosis that the study published was a point of departure for an action plan geared mainly towards CSOs' capacity building in Tunisia. Thus the study identified several weaknesses observed about civil society presented as follows:

❑ CSOs' Capacity for action:

- Problematic relationships and distance between civil society organizations and citizens at the local level and in the fieldwork (communication, collaboration, dialogue, etc.).
- Low development of grassroots organizations;
- Gap between CSOs and the field or between CSOs and grassroots citizens;
- Women's associations not enough representative or popular with a poor image;
- The presence of women in associations (other than women's associations) is too low;
- Existence of inter-associations reflecting those of the Tunisian society;
- Insufficient knowledge of other pertinent associations' experiences, national or international;
- Gaps in communication, exchange, cooperation, synchronization, and collaboration among associations;
- Inadequate skills in the management of associations , and in internal communication;
- Insufficient capacity in developing visions and strategies of action, in operational focus, planning, programming, identification, formulation and project development;
- Insufficient knowledge in the specific areas of intervention of associations;
- Insufficient availability of technical information, data, or studies, etc...;
- Insufficient and non-sustainable financial means to achieve projects, buy equipment, and cover their operating costs;
- Lack of civic culture and community;
- Lack of experience in community work and group work;
- Lack of transparent management procedures;
- Personification of associations around association leaders;
- Insufficient impact of routine training;
- Weakness and volatility of the number of members and active members of volunteer associations and low representativeness of civil society;

- Problem in motivating associations;
 - Insufficient capitalization of associative action.
- ❑ CSOs' action in their context:
- Problematic relationships with state stakeholders;
 - Lack of mutual trust;
 - Non-compliance with laws and lack of access to information;
 - State stakeholders' lack of consideration in the information, studies and requests from CSOs;
 - State projects designed on a non-participatory basis
 - Inappropriate Role / function / action of some stakeholders who should support local development, such as consulting firms, training organizations, etc.. ;
 - Very limited impact of the Tunisian civil society on policy dialogue and development at the local, regional and national levels;
 - Planned actions are not carried out in a participatory manner and in partnership
 - Insufficient visibility and credibility of CSOs and their activities;
 - Lack of trainers and coaches at the local and regional level;
 - Communication difficulties between CSOs and technical and financial partners;
 - Heaviness and multiplicity of formats and procedures of technical and financial partners;
 - Persistence of interregional disparities.

The following two tables summarize the strengths and weaknesses of CSOs in Tunisia as well as the problems and opportunities of the civil society's environment as they emerged from the study of the Representation of the Commission of the European Union in Tunisia:

Table 3: Tunisian Civil Society: Positive and Negative Aspects

<i>Strengths</i>	<i>weaknesses</i>
<ul style="list-style-type: none"> • Enthusiasm, commitment, activism, solidarity • Competence and experience for some of the organizations of civil society working in community life and that can be shared and transferred to other organizations • Technical and institutional success stories that can be directly valorized • A significant human potential and a very good knowledge of the land among civil society stakeholders from grassroots groups, rural and peri-urban informal groups) • Sophisticated levels of capacity for some civil society organizations in specific areas, such as communication techniques, lobbying, etc.. 	<ul style="list-style-type: none"> • Inadequate proximity of land and populations • Insufficient internal capacities: governance, volunteering, vision and strategic positioning, planning, communication, project formulation, capitalization, etc... for a majority of CSOs in terms of: communication techniques, advocacy / lobbying, participatory approach, partnership approach, identification, installation and monitoring of projects, knowledge of funding sources • Atomization of CSOs, even rivalry and competition • Structuring and rudimentary cooperation between organizations

Table 4: Tunisian Civil Society Environment: Problems and Opportunities

Opportunities	Problems
<ul style="list-style-type: none"> • The ample supply of external financial and technical support, from the technical and financial partners and other sources • The political will to give prominence to organizations of civil society in Tunisia • The political will to implement decentralization, devolution and deconcentration • The possibility of establishing international partnerships, South-South and South-North 	<ul style="list-style-type: none"> • Legal and Policy Framework sometimes problematic: taxation, financing, international NGOs, etc.. • Lack of institutional framework for consultation and collaboration with state stakeholders and civil society organizations • Complexity and difficulty of communication with technical and financial partners • Training not always efficient; no manuals or guides, etc.. • External funding limited by the sponsors, the state, and the technical and financial partners • Outsiders continue to focus on cities and coastal areas

Source: "Report on the Diagnosis of Tunisian Civil Society," Representation of the EU European Commission in Tunisia (March 2012)

The analysis of the weaknesses of civil society highlighted "a certain polarization which corresponds to visions and models of civilization relatively different." This conceptual opposition could fuel conflicting relations especially in the field where associations tended to strongly distance themselves from one another. On the other hand, the low penetration of the "formal" associations in the underprivileged strata raised a controversy as regards the representativeness of citizens. The study concluded that the distortion created by the big gap between "formal" civil society and the populations, the cause of whom it claimed to defend, was likely to make of the populations the "targets of the action of these associations rather than stakeholders taking part in their own development."

In addition, the study examined both the role of the state and its relations with civil society organizations, and the solicitation of technical and financial organizations ready to support the emergence and development of a responsible civil society, organized and effective. To this end, the study highlighted the lack of a shared vision in the relations of the civil society with the authorities. While recognizing "the heavy legacy of the past" the study stressed the feelings of mutual distrust or caution and deplored the near-total absence of space and mechanisms for exchange and consultation.

Finally, the study analyzed the initiatives implemented by several technical and financial cooperation organizations and recommended better coordination between stakeholders be achieved.

1.4.4 The ADB study

The African Development Bank (ADB) conducted a study in May 2012 entitled "Participatory Governance in Tunisia: Improving the Delivery of Public Services through State-Citizen Partnerships." The ADB study introduced a novelty in the analysis, i.e., participatory governance. Based on the principle that public decision-making is the right and duty of the citizen, participatory governance refers to the processes and mechanisms whose role is to "empower citizens to influence and share control in the decision-making process of the public administration that affects their lives." The ADB study thus focused on the potential capacity of CSOs to promote and fulfill this role, with the aim to contribute to "better governance and improved delivery of public services in Tunisia (including...) as regards the three key social sectors, i.e., education, health and the social affairs."

The novelty of this study also resided in the methodological approach used, which, in addition to qualitative and quantitative analyzes of various public and community stakeholders (through interviews and the administration of questionnaires), involved nearly 500 people in interviews or group discussions, while mapping the work of CSOs.

The study concluded by suggesting the use of benchmarking in evaluating the capacities and needs of civil society, by focusing more particularly on the analysis of key elements in participatory governance in Tunisia as a prerequisite to the fulfillment of the role of civil society, and in particular:

- ❑ The right to information, the backbone of any consensus process at the base of participatory governance. Without free and accessible information, no civil society is able to posit itself as a serious, constructive player. If at this level Tunisia suffers from a blatant handicap, due to the legacy of a "culture of secrecy", and to the cumbersome bureaucratic red tape, it is also true that the new legislative, political and administrative developments foreshadow greater access to information and public administration. However, the vast majority of organizations do not solicit, or very rarely do, government data, thence limiting their counterpower capacity and proposition force. This implies the need for urgent action to "stimulate the demand for public information, the sensitization and education of both service users and public officials to bring forth measures that would facilitate the right of access to public information." This demand for more information becomes all the more important when we know that a new impetus in community life often translates into citizens' indifference in public affairs.
- ❑ Citizens' demands are still not materialized as it should be, through the use of formal and recognized mechanisms. True enough, Tunisians have conquered their fear and won their freedom of expression, but they still have to get their voices heard even further, without any hindrance. To this end, the existence of informal spaces and/or initiatives alongside "more organized communication platforms and direct links between citizens and authorities" is an important factor. However, in the absence of such mechanisms, few organizations report "being regularly or frequently consulted by public and/or elected officials on public policy related to the interests and activities of their organization." Therefore, the creation of these consultation mechanisms has become a priority both at the local and at the national level. This initiative will be of great benefit, as it could foster the reconciliation with, even the trust in, the authorities.

- ❑ Despite the proliferation of associations, citizens' involvement in "community life" is now a source of weakness for civil society. The study shows that the average number of members of an association does not exceed 26 people. According to the associations, this lack of engagement comes from a lack of awareness of the citizens. This reduced ability of associations to unite citizens and to become their spokespeople has triggered a recurring request by associations for training in social mobilization and citizen awareness.
- ❑ The remodeling of state-citizen relations requires that one goes beyond the prevalent logic at work for the majority of Tunisians, which is "to demand from the Public Administration concrete actions, rather than choose to act themselves in partnership with the Administration to improve the collective situation." Of course, in this regard the initiative should come from the Authorities to guarantee civil society its rightful place. For this purpose, decentralization may be a good step toward the sharing of roles. However, if all parties agree to acknowledge the role of civil society, little needs to be done to synchronize joint efforts.

The launching of two more studies is worth mentioning: that of the Center of Arab Woman for Training and Research (CAWTAR) and that of the Arab Institute for Human Rights, respectively on the capacity diagnosis of CSOs and the role of civil society seen from the perspective of human rights, which are currently still being elaborated.

Ultimately, in addition to the frequent overlapping of information emanating from all these studies, which denote a certain complementarity, it is important to note as far as we are concerned that as regards the capacity diagnosis, the methodology adopted for these studies, when present, favors a comprehensive approach which is descriptive and not analytical, based on the self-evaluation of associations outside of a coherent framework of analysis considered "normative". It is precisely on this point that the study of the Foundation for the Future wishes to make a special contribution: providing an analytical framework and an assessment tool inspired by CSOs' best management practices.

2. CSOs' capacities in Tunisia

2.1 Methodology

As described in the terms of reference, the study is an evaluation of CSOs' capacity building. In general, the evaluation of civil society is defined as "a process that allows us to understand and analyze the context and organizational dimensions of CSOs based on a set of principles, indicators and other information." However, an analysis of the community movement is based on the assessment of three variables: (i) the organizational structure, including human resources management and governance, (ii) its financial and moral independence, and (iii) its vitality, i.e., its ability to carry out projects. Of course, the evaluation criteria of the abovementioned variables and the resulting indicators are varied, and depend not only on the scope of the evaluation (individual, sectorial or national, even international) but also on the objectives of the evaluation and the available information.

Nowadays, there are two ways of evaluating CSOs. The first way is aimed at a particular association or group of associations that share the same area of intervention. The other way targets all the organizations of civil society indiscriminately. In other words, the second way studies how NGOs function in a particular country or economic sector. Diversity entails the use of a variety of tools when evaluating civil society. However, regardless of the level of analysis sought, any assessment has to consider the following five dimensions: i) the internal capacities, ii) the level of commitment, iii) governance, iv) the impact of projects and v) the effectiveness of the relationships / interactions with multiple stakeholders in public life and / or in the political arena.

Box 1: The dimensions of the evaluation

Capacities:

- Is the staff sufficiently large to engage in the activities of the program / project?
- Should the need have arisen, has the organization partnered with other NGOs and CSOs with similar missions and values in achieving common goals?
- Is the staff regularly trained?

Commitment:

- The association organizes meetings with key stakeholders at specific times in order to foster debate on policy issues, advocacy, needs assessment, financing, project design, implementation, impact follow-up and impact assessment.
- There is commitment as an official, active member, inactive member in associations or other community groups.

Environment:

- The legislation on CSOs should provide for the relatively rapid, easy and inexpensive registration of associations as moral entities, with or without corporate structure, and for all. In practice, the government should facilitate the creation of CSOs fighting corruption and advocating good governance.

Governance:

- The CSO shows that it uses its resources responsibly and transparently, as agreed.
- The CSO reports to donors and other stakeholders in timely fashion.
- The procedure for the appointment of members to the Board of Directors should be democratic.
- The CSO incorporates the lessons learned from evaluating the programs and projects into their strategic planning.

Impact:

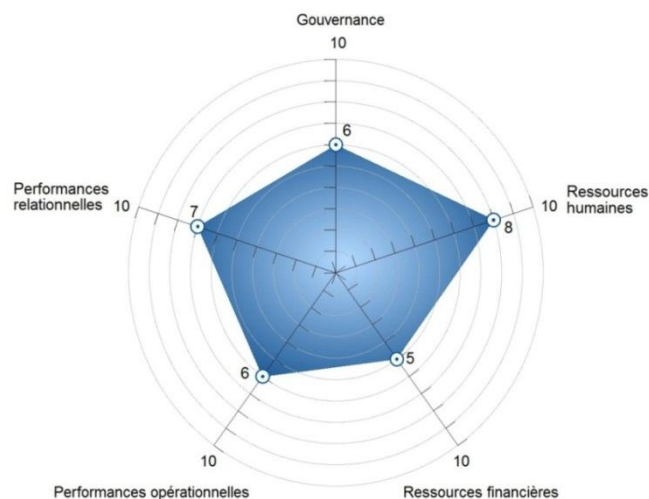
- What changes initiated by NGOs' programs have impacted people's lives?

2.1.1 Capacity index

Taking into account the scope and objectives of the study, the proposed methodology is based on a qualitative assessment of the capacity of CSOs working in the fields of human rights, citizenship and democracy, in order to identify FFF's potential support for capacity building. Through the elaboration of a capacity index for CSOs, this methodology aims to describe and evaluate the different components of their organization and performance including:

- ❑ governance: the nature of citizen participation, transparency, moral autonomy, self-assessment capacity, management capacity;
- ❑ human resources: the capacity to mobilize activists, staff accountability and motivation;
- ❑ Financial resources: the capacity to raise funds, financial independence;
- ❑ operational performance: action impact, influence on public policy, commitment to social interests, citizens' empowerment;
- ❑ Relational performance: the ability to interact with one's environment (media, networking, etc.).

The capacity index proposed as a research tool is used both in the current diagnosis of CSOs in this study and in future evaluations of other CSOs in Tunisia that the Foundation for the Future may possibly undertake. Specific CSOs will be analyzed and positioned according to the capacity index used as a synoptic index to summarize the five capacity components, as presented in the opposite diagram:



Graph 9:
Structure of
the capacity
index

Current studies show that good governance practices seem to be absent from NGOs' operations. One can see in there the effects of past inertia and the legacy of non-transparent and non-participatory management and decision-making processes, but also the lack of knowledge of those practices that CSOs have continuously shown. On the other hand, despite the genuine involvement observed in the field, many complementarities between different CSOs are not often well discerned or used by associations. CSOs would have everything to gain from effective networking, the exchange of information and experience, which would presuppose a certain level of knowledge, expertise and collaborative mechanisms. This inability to take advantage of each other's work is also reflected in the difficulty of communication: associations do not seem well-equipped to "move further into the target population or to turn to society for information and recruitment."

2.1.2 Data Collection and Information

The scope of the study covers CSOs operating in the field of human rights, democracy and citizenship. Information was collected at first about the CSOs themselves, and at a later stage, about the stakeholders involved in the support and funding of civil society organizations (donors and institutions). The collecting of information was based on the following conditions:

2.1.2.1 Phase 1: Identification of the CSOs under study

Preparing a comprehensive list of CSOs active in the areas covered by the study is a prerequisite for any analysis. At present such a list does not exist. This is mainly due to the fact that the categorization of existing associations is rather loose and places CSOs under a very broad title, "Development Associations". On the other hand, because of the new dynamics inherent to CSOs' creation, the CSOs directory established by the REDMH to the horizon June 2011 has become obsolete and needs to be updated. To this end, documentation and cross-referencing work was carried out, mainly thanks to the Center for the Information, Training, Studies and Documentation of Associations (IFEDA). Although the number of CSOs under study cannot be known with precision, the following table, based on research hypotheses, shows an estimate of about 300 active young associations working in the field of human rights¹⁹. A sampling rate of 10% was applied, in line with the study's methodology, resulting in a final sample of thirty associations.

Table 5: Estimated number of active young associations working in the field of human rights (July 2012)

	Number of associations created between January 2011 and July 2012	Hypothesis 1: Percentage of active associations	Hypothesis 2: Percentage association working in the field of human rights	Estimated number of active associations working in the field of human rights
General-purpose associations	637	50%	50%	159
Developement Associations	584	50%	30%	88
Women's associations	60	50%	90%	27
Scientific associations	374	50%	15%	28
Total	1 655	50%	36%	302

2.1.2.2 Phase 2 : Tri d'un échantillon d'OSC à contacter

The sample under study was intended to provide an overview of the post-revolutionary community activity, and to focus on categories of associations that could fall within the mission of the FFF, working in the field of human rights and supporting the development of CSOs activities. The goal was not to gather statistical data for the purpose of establishing a comprehensive list, but rather to look for the best suitable methodology for a research on young associations, by defining their main characteristics in terms of capacity, and identifying the relevant needs for capacity building. Therefore, the composition of the sample depended not only on an appropriate regional coverage with a high focus on the interior of the country, but also on the feasibility of the research and the achievement of its objectives. As mentioned above, the goal was to select CSOs that not only were officially registered but that had also already carried out concrete actions, be they punctual or short- to medium-term. The final objective was to arrive at a sample of thirty young associations active in the field of human rights, selected from the 300 previously identified CSOs, while focusing on the interior of the country. At first, the team used the CSOs database created by the FFF Tunis office, giving priority to CSOs having already received a positive evaluation from the FFF. This list was then enriched by adding other associations selected by consulting the findings of previous studies, as well as interviews with resource people at IFEDA and other organizations, both in Tunis and in the interior. In the end, the sample included 34 CSOs selected for a capacity diagnosis²⁰. (See attached the detailed list of the CSOs surveyed).

¹⁹ These data are relative to the situation prevalent in June 2011 during the elaboration phase of the sample.

²⁰ The initial sample included 35 CSOs targeted for a field visit and interview. We estimated that one of them did not meet the requirements in terms of intensity of activity. Therefore, our analysis is based on the remaining 34 associations.

2.1.2.3 Phase 3: Field Visits and survey methodology adopted for the selected CSOs

Preparation and outreach

The preparations for the mission interviews with CSOs participating in the study started in late May 2012 with the final list of CSOs. The beginning of the research was slowed partly because of changes which occurred in the associations at the level of the resource people or their contacts, and also because of the time to build the respondents' confidence necessary to foster people's participation in the survey. During this phase, an interview guide was elaborated and submitted to the FFF Tunis office, whose recommendations were included in the final version.

The start-and-trial of the interview guide

The first phase of the interviews began on 14 June 2012. Despite a systematic method followed throughout the mission, and which included the confirmation of appointments, the team found itself repeatedly facing late cancellations, and being obliged, once on site and without preparation, to get in touch with other candidates from other associations satisfying the conditions of the study. The first interviews helped to better define the scope of the interview guide and to adapt the questions to the reality of young associations, in particular with regard to their expectations / needs, thence our decision to dedicate a specific section to the identification of needs.

The methodology

The second phase of interviews took place throughout the second half of June, beginning with visits in the Northwest and ending with a tour of the Southeast. The times and locations of meetings happened under extremely harsh conditions during the summer period in several locations. In some cases (Tozeur, Sidi Bouzid) the schedule of visits had to be modified because of the local situation, rendered sometimes tense due to protest movements and various events in the regions.

Data cleansing and compilation.

This stage was carried out during the month of July 2012. During that month we worked on the returned checklists of needs that we had sent to 15 associations. This stage also coincided with another aspect of the mission, i.e., interviews with donors. The overlapping of these two activities during the summer caused a significant delay in the processing of the questionnaires, which continued well into August 2012.

2.1.2.4 Phase 5: Interviews with donors and officials of the public sector

A number of international donors present in Tunisia and particularly active in supporting the civil society in areas of interest pertaining to the study was contacted. The purpose of these interviews was to understand the present and future position of donors as well as get their impression / perception about the changes experienced and expected by the CSOs involved in the study.

By mid-June, a list of donors was proposed to the FFF office together with an interview guide. The team's experience made possible a wide selection of donors and the FFF Tunis office helped in contacting donors.

As for the public sector, because of the difficulties met, interviews were limited to local authorities officials (General Manager of the local public authorities), IFEDA (IFEDA Managing Director). In addition, interviews with donors such as VNGi and GIZ CoMum helped to understand the level of dialogue between associations and special municipal delegations in several cities. The results of these interviews are presented above (section 1.3.2).

2.1.3 Data Analysis Tools

Data was collected through the questionnaires and interview guides elaborated for the visits of the CSOs and donors. The use of interview guides focused around specific issues, making it possible to describe the mode of operation of CSOs and donors as well as their visions for the future.

Three tools were used:

- ❑ Survey Questionnaires to CSOs (see Appendix 7)
- ❑ Estimation grid of CSOs needs (see Appendix 6)
- ❑ Interview guide for donors and partners (see Annex 8)

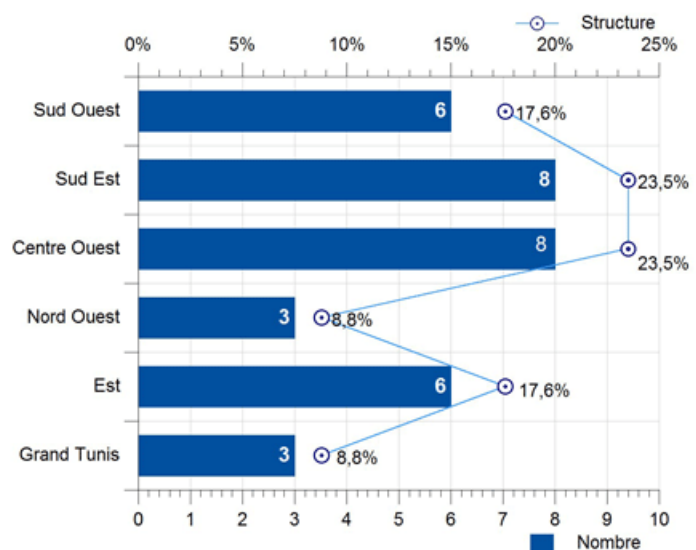
2.2 General characteristics of the associations under study

It is worth noting that in the study described above, and because of the small size of the sample and the category of CSOs targeted by the study, survey results are not to be considered statistically representative of the situation of CSOs in Tunisia. The thirty associations studied represent about 10% of the category of active young associations working in the field of human rights. The results of the survey can be considered representative in their entirety for this category of associations with reservations, in some cases, as to the pertinence of regional representation.

2.2.1 Regional Distribution and areas of activity

The regions of the interior, namely, the West and the South, represent more than 2/3 of the associations visited. Noteworthy, this representation of the regions of the interior reflects the effervescence that community life experienced in those regions after the political changes of 2011. In addition, for the purpose of the study, we brought together the North East and the Central East under one region (the East) to better reflect the contrast between the coastal line and the Greater Tunis, on the one hand, considered more dynamic, and the regions of the interior, rather marginalized, on the other.

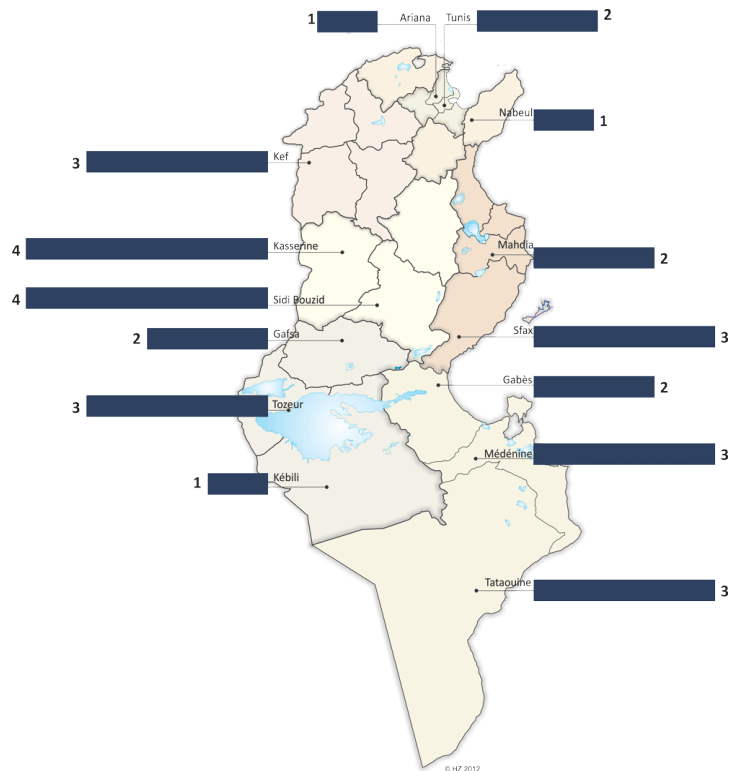
Graph 10: Regional distribution of surveyed associations



The sample was also elaborated in response to a concern for a balanced distribution between the different governorates and a better representation of community life in the country. Thus the 34 associations in the sample spread over 11 governorates according to the following regions:

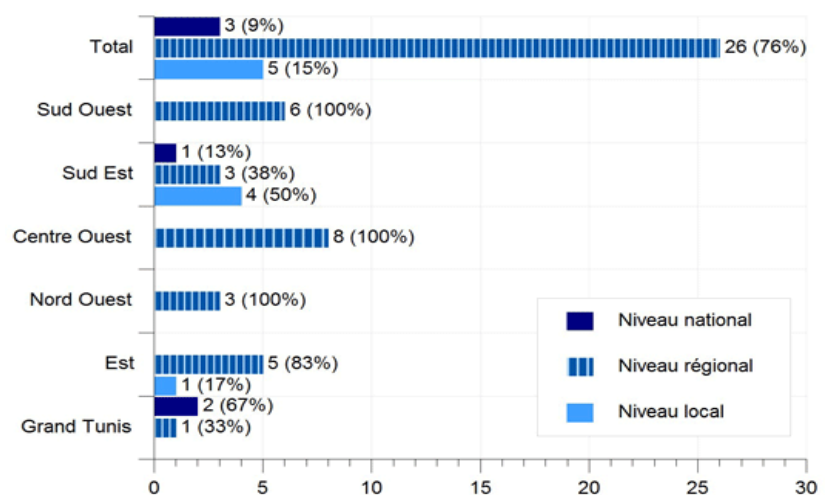
- The Greater Tunis: Governorate Tunis (2) and Ariana (1);
- The East: Governorate of Nabeul (1), Mahdia (2) and Sfax (3);
- The Northwest: Kef Governorate (3);
- The Western Central Region: Governorate of Kasserine (4) and Sidi Bouzid (4);
- The Southeast: Gabès Governorate (2), Medenine (3) and Tataouine (3);
- The Southwest: Governorate of Gafsa (2) Tozeur (3) and Kebili (1).

Map 2: Breakdown of the surveyed associations by governorate



For the vast majority of organizations, the geographical scale of the actions undertaken or planned extends as far as the regional level, i.e., the governorate. This mainly comes from the fact that the founders' motivations are deeply rooted in the local context and they reflect the gap between the reality of the different populations and their socio-economic aspirations.

Graph 11: Geographical coverage of CSO's associations



Whereas regional community life covers a variety of fields and / or target audiences, local associations (town, delegation) are more affected by specific segments of the populations, such as people with special needs (the elderly, the prisoners, the wounded in the revolution, the orphans and single mothers). By contrast, associations operating across the country include more political advocacy or category-specific groups (such as women's rights associations) whose actions are aimed at a wider and more varied audience.

2.2.2 Categorization and areas of activity

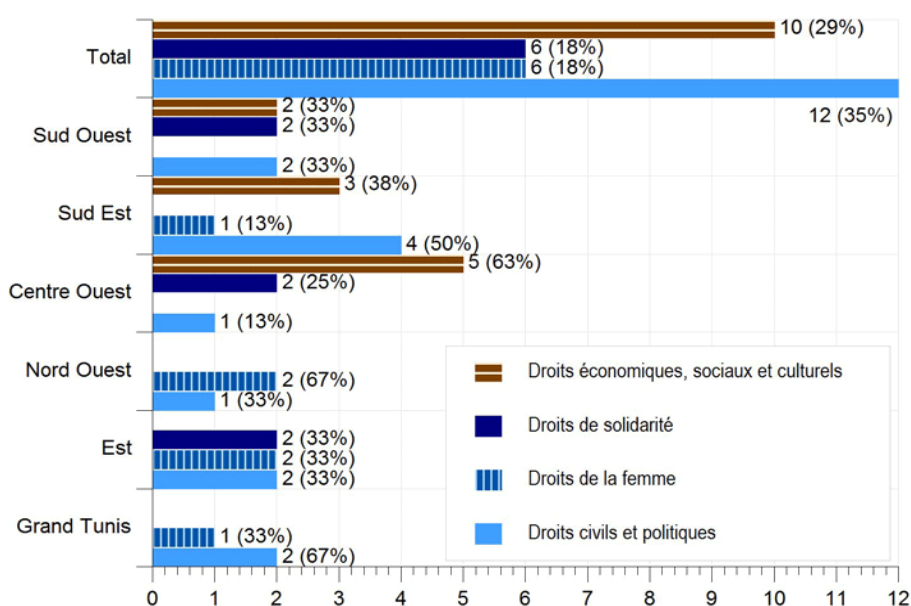
According to the current nomenclature, general purpose associations are the most prevalent (40%) in our sample followed by development associations and women's associations (about 20% equally each). However, this categorization may be inaccurate when considering the reality of the different areas in which these associations operate. Indeed, the spontaneous community awakening, which responded to a need to express previously repressed agency, resulted in a variety of actions that could hardly be found in a single category of association.

Table 6: Breakdown of associations by category

Régions	General purpose association	Social purpose association	Development associations	Women's association	Scientific association	Total
1 Greater Tunis	2			1		3
2 East	1	2	1	2		6
3 Northwest			1	2		3
4 Central West	4		2	1	1	8
5 Southeast	5		2	1		8
6 South	2	1	1	1	1	6
Total (Number)	14	3	7	8	2	34
Total (Structure)	41,2%	8,8%	20,6%	23,5%	5,9%	100,0%

For example, self-defined "women's" associations cover a wide range of activities, from women's economic empowerment to local development and citizen participation. Yet others, such as "development" associations are involved in citizenship and human rights as well as in local development. That is why, for the purposes of the study, we privileged associations active in human rights. Thus, more than half of the associations of the sample operating in the field of civil and political rights overlap with so-called "development" and "general purpose" associations. Women's associations organize themselves around the defense of women's rights as well as women's economic rights, while associations considered "scientific" are more active in the field of civil and political rights.

Graph 12: Breakdown of associations by category of rights



This predominance of militant organizations in the field of human rights - socio-economic rights and women's rights - is also reflected in the audience that the community actions target. The general nature of rights most of the time leads to the fact that associations target a wider segment of the population while devoting a particular interest to women. Indeed, all associations, regardless of the rights they defend or promote, put special emphasis on women.

Table 7: Audience targeted by the activities of associations

Categories	Women	Children	Youth	Poor or vulnerable people	Everyone	Total
Civil and Political Rights	2			1		
Women's Rights	1	2	1	2		
Solidarity rights			1	2		
Economic, Social and Cultural Rights	4		2	1	1	
Total (Number)	14	3	7	8	2	
Total (Structure)	41,2%	8,8%	20,6%	23,5%	5,9%	100,0%

2.2.3 Activité associative

Recently created, more than half of the associations emerged in the wake of the political changes of 2011, mainly in the period February-April 2011. These associations, which currently meet the perceived needs of the moment, are active, in particular, in the fields of civil and political rights (9 associations) and women's rights (6 associations). Remarkably enough, this activism is cross-sectional and includes all regions. It continued to increase throughout the second half of 2011 and early 2012 when the new associations started to mobilize furthermore for the defense of economic, social and cultural rights, as well as for solidarity activism.

Table 8: Breakdown of associations by date of creation

Regions	1st Semester 2011	2 nd Semester 2011	1st Semester 2012	Before 2010	Total
Greater Tunis	3				3
East	4	1		1	6
Northwest	3				3
Central West	2	5		1	8
Southeast	4	2	2		8
Southwest	4	1	1		6
Total (Number)	20	9	3	2	34
Total (Structure)	58,8%	26,5%	8,8%	5,9%	100,0%

This infancy of community life reflects the fragility of the operational level. Indeed, one association out of three fails to materialize actions or projects on its own initiative, and gets involved in the activities of other associations -- an informal collaboration which contributes to a greater visibility. By contrast, associations created in early 2011 have become more operational, and more than half of the associations could tackle specific actions, while the scope of activity of more recently created groups were limited to punctual actions undertaken with other associations.

Table 9: Dynamism of the Associations

Regions	Punctual actions	1 to 3 projects	4 projects and more	Not available	Total
Greater Tunis			3		3
East	3	2	1		6
Northwest	1	2			3
Central West	4	4			8
Southeast	3	3		2	8
Southwest		5		1	6
Total (Number)	11	16	4	3	34
Total (Structure)	32,4%	47,1%	11,8%	8,8%	100,0%

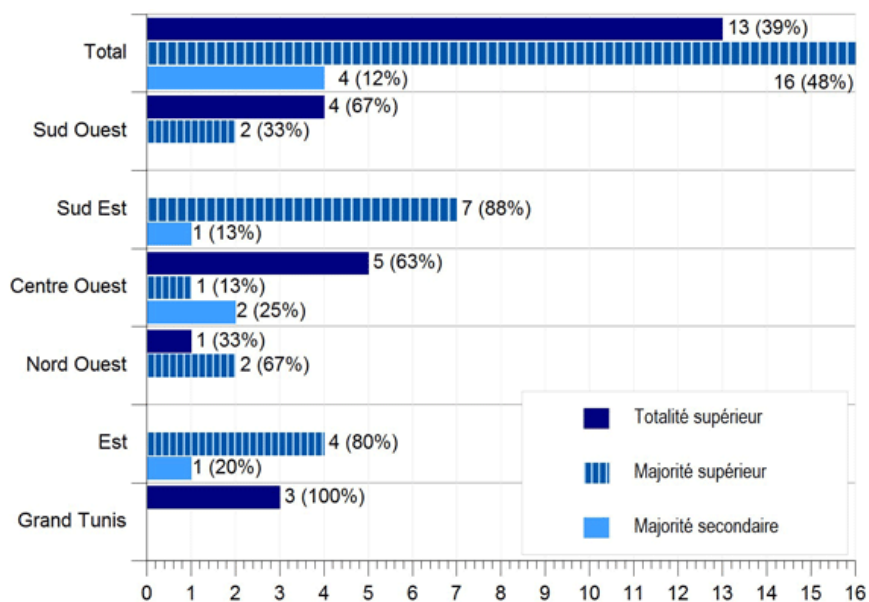
About 25% of associations do not have premises; yet, this difficulty does not seem to really cripple their task force. Indeed, the existence of premises is a desirable item for an organization, but it is not always the guarantee of a significant pace of activity, and does not ensure the capacity of the association to carry out projects: out of the 11 associations that mobilize only through punctual actions, 8 have premises, 6 of which are rented.

Table 10: Breakdown of associations by availability of premises

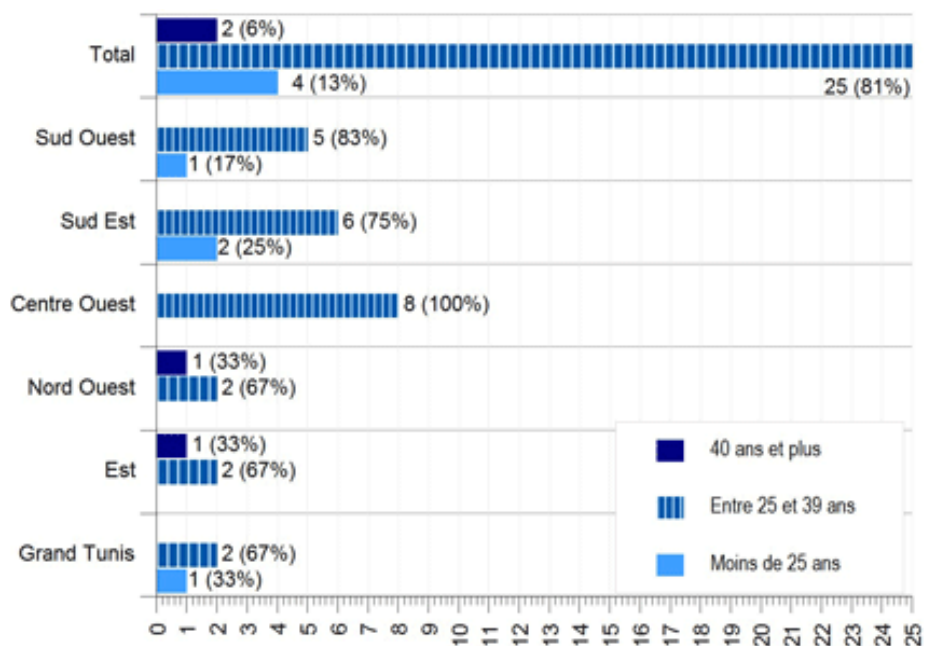
Regions	Rented premises	Shared premises	Premises made available thanks to :			No premises	Total
			Municipalities	SCO members	A third party		
Greater Tunis	1			1	1		3
East	5	1					6
Northwest	1					2	3
Central West	4			1		3	8
Southeast	3		3			2	8
Southwest	1		1	1	1	2	6
Total (Number)	15	1	4	3	2	9	34
Total (Structure)	44,1%	2,9%	11,8%	8,8%	5,9%	26,5%	100,0%

Tunisian civil society, young and educated, is well represented in the analyzed sample. Indeed, in almost all associations, most members and presidents hold a higher education degree and the average age is around 30. At first glance, it appears that the level of education members explains the ability to take action: Out of the 13 associations in which all the members and directors university-educated, 10 have a strong presence in the field with at least one project carried out to completion. However, this does not seem to hold when a greater variety of educational levels is introduced.

Graph 13: Breakdown of associations by level of education of the members on the Steering Committee



Graph 14: Breakdown of associations according to the age groups of the Steering Committee



2.3 CSO's capacity index

2.3.1 Calculation methodology

In coherence with the objectives of the study, the proposed methodology is based on a qualitative assessment of the capacity of CSOs working in the context of human rights, citizenship and democracy. Through the elaboration of a CSO capacity index, this methodology aims to describe and evaluate different aspects of community work. A capacity diagnosis has been applied based on the identification of five capacity areas, namely (1) governance, (2) human resources, (3) financial resources, (4) relational performance, and (5) operational performance. Each area is broken down into 2 or 3 specific dimensions that are evaluated based on a rating or scoring system.

The governance area is composed of three specific dimensions and shows the commitment of the association in terms of transparency, moral autonomy, and capacity management according to the following evaluation criteria:

Table 11: Governance: dimensions and criteria

<i>Domaine de capacité</i>	<i>Dimension spécifique</i>	<i>Critères d'évaluation</i>
1. Governance	11. Commitment	Associations have other references than statutes [1 point] , (vision, mission, charter of values) elaborated in a collegial manner and shared [1 point] with the members, or made public [1 point] . The association organizes regular or frequent meetings [1 point] . Minutes are shared [1 point] among members.
	12. Management transparency	The activity of the association is based on a clear description of the tasks/responsibilities of its members or of the position/functions of its staff [1 point] . The association shows good bookkeeping with retention of accounting documents [2 points] , made public [1 point] and shared with its different partners to ensure full transparency [1 point] .
	13. Autonomy in decision making	The association ensures its independence vis-à-vis the political world: no member (president or otherwise) supports political parties [1 point] . The involvement of political parties, if necessary, only responds to the objectives of the activities undertaken by the association and should not affect its autonomy [1 point] . Decision within the organization is taken in a collegial manner [1 point] , shared among members [1 point] and represents the initiatives of all. [1 point]

The human resources area is composed of two specific dimensions and the study evaluates the capacity of the organization in terms of staff mobilization, accountability / motivation of the activists and their training, as well as gender-aware practices.

Table 12: Human Resources: dimensions and criteria

<i>Domaine de capacité</i>	<i>Dimension spécifique</i>	<i>Critères d'évaluation</i>
2. Human ressources	21. Staff Mobilisation	The association ensures that women are well represented [1 point] . The association has volunteer members as well as salaried employees [2 points] with experience in community life [1 point] . The association makes use of different practices to motivate volunteer members (training, participation in workshops, travels ...) [1 point]
	22. Adequate staff training	The staff is well trained in being able to carry out activities [1 point] . Training in project management, administration, research funding has been provided for the benefit of the members [1 point] . In addition, staff has received specific training in the fields of action of the association, and particularly in the area of human rights [1 point] .

The field of financial resources has two specific dimensions and evaluates the ability of the association to raise funds, and to be financially independent. It focuses on different approaches to fundraising and diversification of the funding resources.

Table 13: Human Resources: dimensions and criteria

<i>Domaine de capacité</i>	<i>Dimension spécifique</i>	<i>Composantes Critère d'évaluation</i>
3. Financial Ressources	31. Capacity to raise funds	The association has the ability to finance all the projects considered [1 point] . To do so, the association actively implements different approaches to research funding [1 point] . Its success is built on a good knowledge of funding opportunities [1 point] , the strength of the case presented [1 point] and the relational capacity / negotiation with donors [1 point]
	32. Financial independence	The association uses different sources of funding : Membership fees/donations from members, private donations, public sources/subsidies, international organizations or foreign embassies [3 points] . The association has no exclusive funder or donor for specific aspects of its activity [1 point] . In its relations with donors, the association adjusts to their demands without risking to compromise the nature and purpose of the project [1 point] .

The field of relational performance includes two dimensions and evaluates the ability of the organization to interact with its environment (media, networking). It takes into account the sound determination of the association to improve collaboration.

Table 14: performance relationship: dimensions and criteria

<i>Domaine de capacité</i>	<i>Dimension spécifique</i>	<i>Composantes Critère d'évaluation</i>
4. Performances	41. Networking Opportunities	The association actively seeks to network with NGO counterparts [1 point] . It is a member of the partnership network (s) [1 point] with which it has carried out specific actions [1 point] by concerted efforts [1 point] showing a readiness to join efforts for greater efficiency. [1 point]
	42. Media environment	The association actively and regularly seeks [1 point] to work with different media [2 points] . In doing so, the association seeks to raise awareness of its activities with the target audience [1 point] and also to play an advocacy role with the public and policy makers [1 point] .

The field of operational performance is composed of two specific dimensions and evaluates the ability of the organization to measure the impact of actions, citizens' empowerment, as well as its ability to assume an advocacy role in order to influence public policy. Similarly, these two dimensions reflect the ability of CSOs to project themselves into the future and plan their actions in advance.

Table 15: Operational performance: dimensions and criteria

<i>Domaine de capacité</i>	<i>Dimension spécifique</i>	<i>Composantes Critère d'évaluation</i>
5. Operational Performances	51. Efficiency in the planning and implementation of actions	The association plans its activities according to a schedule of activities developed annually and in a collegial manner / shared. [2 points] . Planned activities are also budgeted [1 point] and the association ensures that the budget is rigorously monitored [1 point] and that expenses incurred are related to the activities. [1 point] .
	52. Impact of activities on the target population	The association has a matrix of indicators to monitor and evaluate the projects to be implemented [2 points] that it uses, among other tools, in its advocacy work to influence policy makers [1 point] . The association systematically seeks the opinion of the target population [1 point] and ensures that the public's appreciation of its work is clearly reflected in the indicators. [1 point]

It should be noted that:

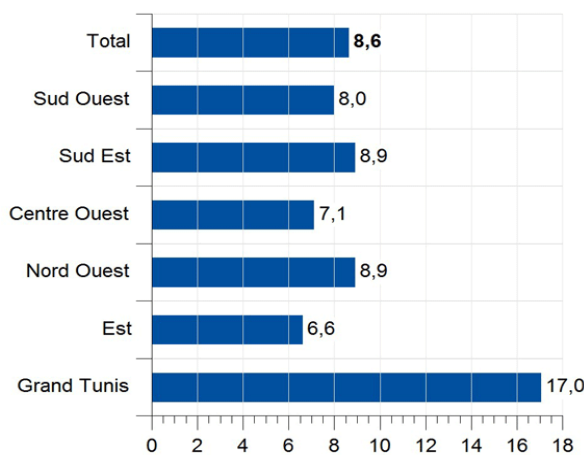
- The total score for each specific dimension varies between 0 points (the minimum) and 5 points (the maximum);
- The capacity index for a given area is calculated as the simple average of the total scores for each dimension; thus it varies between 0 and 5 points;
- The overall capacity index is calculated as the sum of capacity indices for each of the 5 areas; therefore it varies between 0 (the minimum) and 25 points (the maximum).

2.3.2 Capacity Analysis

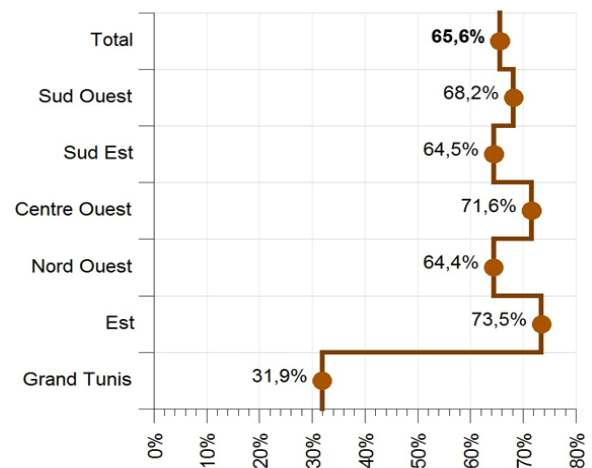
A capacity analysis applied to all the associations surveyed reveals a flagrant deficit. With a value of only 8.6, the capacity index reflects a situation below the average level required to ensure a viable community life. The deficit is striking, reaching almost 70% for all associations, and betrays great regional differences. Clearly, the region of the Greater Tunis ranks high on the list with a 17-point index, thus reducing the capacity deficit of the region to 32%. The associations of the Greater Tunis are almost twice as much efficient as the associations in the other regions.

At the other end of the spectrum are the East and Central West, with index values ranking well below the average value of the index for the total sample. Associations established in those regions have a serious lack of capacity building: over 70%. The Northwest and the South rank somewhere in the middle, but remain geographically close to the least efficient regions.

Graph 15: Capacity by region

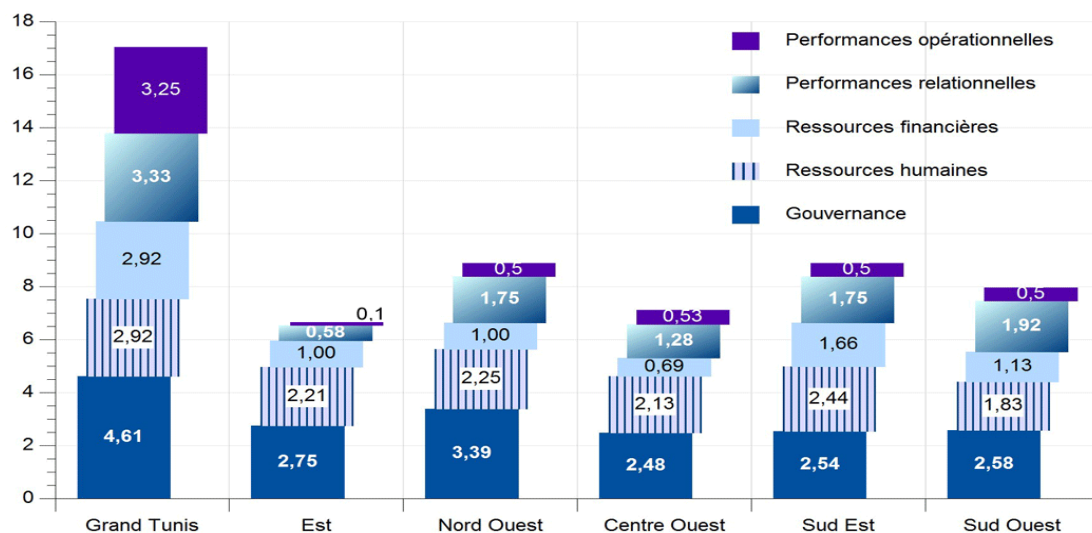


Graph 16: Capacity deficit by region

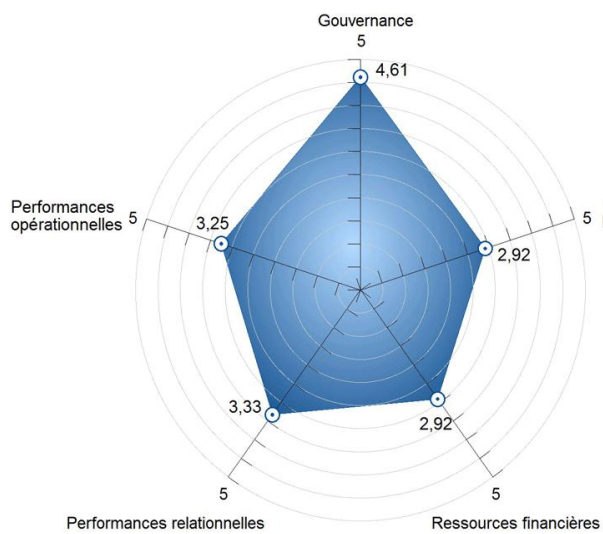


The sharp performance observed for the Greater Tunis results not from one, but from the combination of several factors, including financial capacity, which seems significant and thus may explain the breaking point at the regional level.

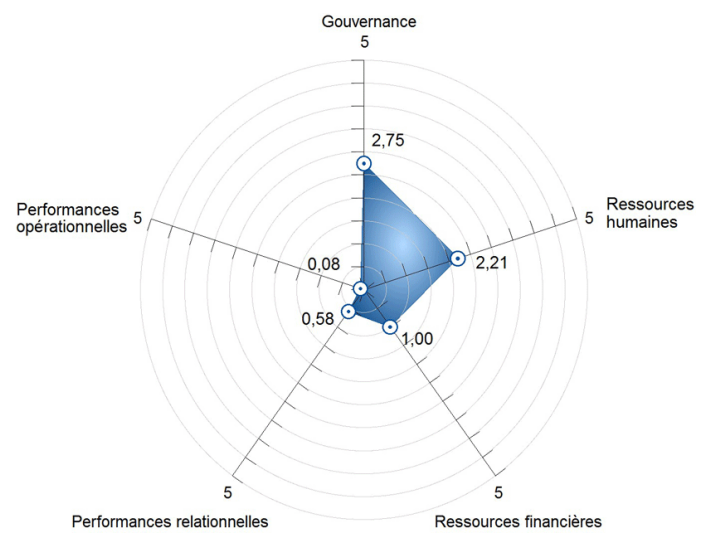
Graph 17: Capacity Index by region



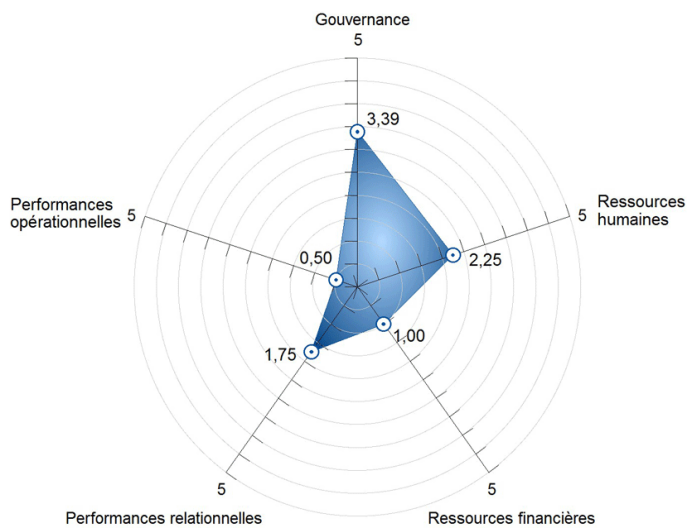
Graph 18 : Capacity Index: Greater Tunis



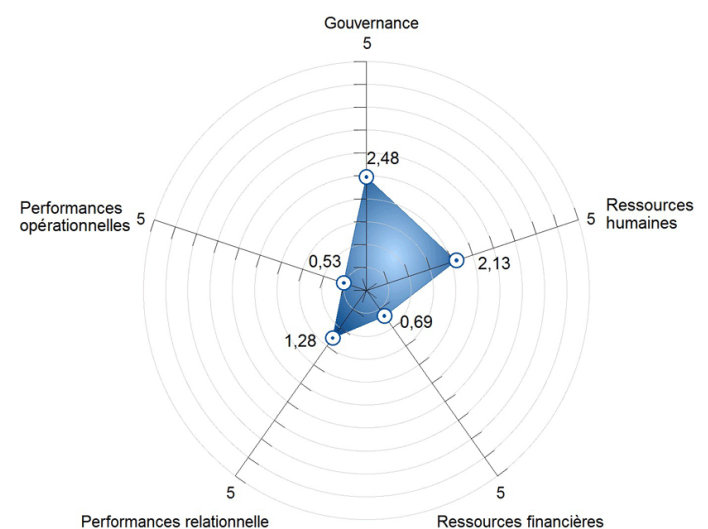
Graph 19 : Capacity Index: East Region



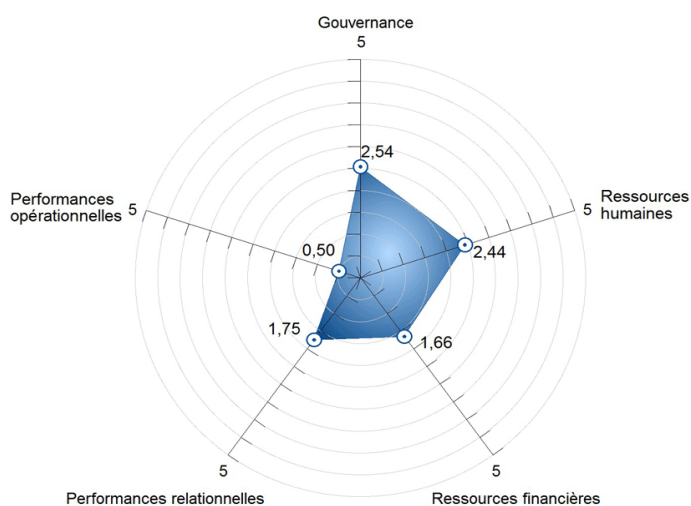
Graph 20 : Capacity Index: NorthWest



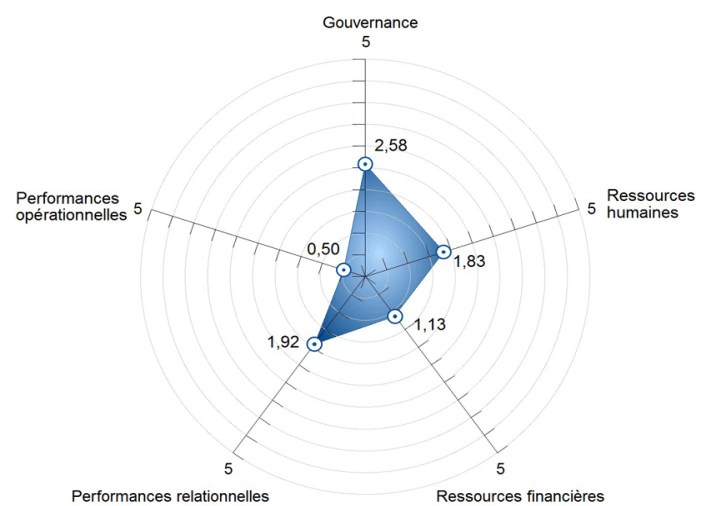
Graph 21 : Capacity Index: CentralWest



Graph 22 : Capacity Index: SouthEast



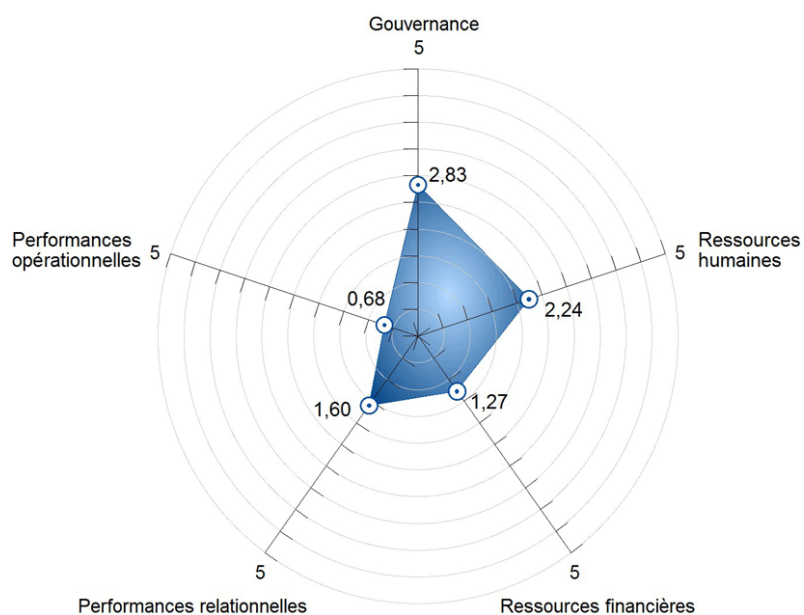
Graph 23 : Capacity Index: SouthWest



The Greater Tunis shows a clear predominance in all these capacities. True enough, in terms of governance and human resources, values are close to those in other regions, and it is in the other capacity areas that the discrepancy is the greatest, with the highest values observed for the relational and operational performance. However, if we consider that governance and human resources are the basic capacities upon which the association builds its activities, then it should be noted that regional differences in those areas are not significant. Consequently, the lower ranking of other regions compared to the Greater Tunis can still be remedied. However, it is at the level of the associations' ability (relational and operational performance) to make good use of their internal structure (governance) and their staff that the greatest regional difference is observed, especially as regards the financial component. Indeed, the Greater Tunis is the only region where the financial capacity is more than the double than that of other regions.

Generally, the capacity index of associations is mixed. Average scores for governance (2.83) and for human resources (2.24) are much higher than the other three areas: operational performance (0.68), financial resources (1.27) and relational performance (1.60). This shows the importance of the capacity deficit in these young associations.

Graph 24: Capacity Index: all associations



A more detailed analysis of the various components of the five capacity areas is presented below and serves to explain regional disparities.

2.3.3 Governance

At the level of governance, the region of Greater Tunis maintains a clear advantage over other regions of the country, closely followed by the Northwest. Other regions show counter-performance values that are close but below the mean value of the sample.

The advantageous position of the Greater Tunis and the Northwest can be explained by a good performance of the dimension "commitment in formal action." This may be attributed to the fact that the organization of work is based on reference principles (mission / objectives of the association or charter values) that are clear, made public, after having been discussed by the members. While most of the time the associations are limited to statutes which represent the guiding documents of their action, the mission statement or the charter of values allows the steering committee to step back and reflect on the position of the association. Indeed, the three associations in the Greater Tunis are the only ones to show a maximal number of scores for governance. On the other hand, if some regularity is observed in the organization of meetings, notes or minutes of meetings are not always shared.

Table 16: Capacity Index: the dimensions of governance

	1 Governance	11. Total commitment in action	12. Management transparency	13 Autonomy in decision making
Greater Tunis	4,6	5,0	4,3	4,5
East	2,8	2,3	2,9	3,1
Northwest	3,4	3,5	2,3	4,3
Central West	2,5	1,8	1,9	3,8
Southeast	2,5	2,1	1,8	3,7
Southwest	2,6	1,8	2,1	3,8
Total	2,8	2,4	2,4	3,8

Regional differences tend to disappear when considering the dimension "Management transparency", as associations tend to adopt a same type of conduct.

However, gaps exist not only concerning the clear definition of tasks of different members of the association - which brings out the Greater Tunis and the East - but also of efforts to make toward greater financial transparency. If the overwhelming majority of state associations maintain accounts based on evidence, they are generally more reluctant to publish their financial accounts or to share them with their partners. Thus, the associations prefer to wait and respond to requests from partners rather than take the lead in showing full transparency in particular vis-à-vis donors.

The dimension "Autonomy in decision making", meanwhile, the highest score (3.8) among all components of the diagnostic capabilities of associations. In doing so, the regional variation of this component is very small although the Greater Tunis and Northwest retain their rank at the top of the rankings. This behavior is rather homogeneous. Firstly, the commitment of organizations to keep away from politics. It is not a coincidence that many associations have emerged not only driven by a desire for participation and change, but also opposition political commitment. Second, the collegial decision-making seems to be another highlight of the new post-revolutionary associational life.

2.3.4 Human resources

In the area of human resources, regional differences are virtually absent. We have seen that the associations of the sample largely share the same member profile: a young and educated population with university degrees. No wonder, then, that the diagnostic capacity on human resources should reflect a certain homogeneity. However, the low score recorded at this level (2.2) deserves some comments.

First, with regard to the dimension "staff mobilization", staff was based primarily on volunteers: only half of the associations reported salaried people on staff and the vast majority of those with unpaid staff would like to recruit paid staff: the lack of availability of members here seem to limit the action of the associations and depend on the goodwill of members who, in almost all the cases, lack experience in community life.

Table 17: Capacity Index: Human resources

	2 Human Resources	Specific dimensions	
		21. Staff Mobilisation	22. Adequate staff training
Greater Tunis	2,9	3,0	2,8
East	2,2	2,7	1,8
Northwest	2,3	2,5	2,0
Central West	2,1	2,3	2,0
Southeast	2,4	2,4	2,5
Southwest	1,8	2,0	1,7
Total	2,2	2,4	2,1

Second, the motivation of members does not seem to attract the attention it deserves. On the question of “how does the association motivate its members?” all volunteer associations, with 2 exceptions, see in the civic engagement of members, the contact with people, the feeling of wanting to make a difference at any level, enough reasons to preserve the initial enthusiasm of the members. CSOs seem, thus, little aware of the importance of the various processes of motivation such as the sharing of roles and responsibilities, the rewarding of efforts, the participation in meetings, the training sessions, the contacts with partners, etc..

Third, the presence of women in community life is still modest to say the least. In 40% of the associations of the sample, the percentage of female members is less than a third, and in nine associations the proportion of women is even less than a quarter.

The poor performance in the field of human resources is also reflected in the dimension, “adequate training of staff”, which shows an important training deficit. Indeed, if we consider that the members have received sufficient training in the areas of the association, the lack of training in project management or management of associations is flagrant with respectively 60% and 75% of associations that have not received training. On the other hand, training in fundraising and partnerships is virtually absent, with only two associations, which may predict a limited financial capacity.

On the other hand, it is important to note the cordial co-operation among the various elements of the association (steering committee and members), which certainly betrays some democratization in the internal functioning of its structure. Thus, collegial decision-making at the level of the steering committee ranks first and characterizes 87% of the associations in the Greater Tunis and the Northwest, which position themselves ahead of the rest. If the beginnings of the democratization of the decision-making processes are clearly visible at this stage, further efforts are to be made to extend it to all relationships within the association. We observe that decision sharing with the members of the association is prevalent in 62% of the associations, whereas members' freedom to express opinions and to discuss with the steering committee concerns only half of the associations (53%). Regarding this last point, the differences between regions are more pronounced - with the Eastern Region registering a significant deficit - and this could reflect a rather ambiguous behavior, whose origin can be traced back to past models that had “reproduced” undemocratic societal processes.

Table 18: Dynamism of the relationships within the association

	Decision making within the organization is done		
	in a collegial manner among the members	Decision making is shared	Members are encouraged to express their opinions
Greater Tunis	100%	83%	67%
East	75%	67%	33%
Northwest	100%	67%	100%
Central-west	88%	50%	38%
Southeast	88%	50%	75%
Southwest	83%	75%	33%
Total	87%	62%	53%

The figures presented in the table represent the percentage of associations that meet the criteria of or apply decision making. For example, a total of 87% of associations apply a collegial decision-making within the Steering Committee.

It should be noted here that this “democratic” functioning of associations, as expressed by the leaders of the associations surveyed, is not shared by their partners. Indeed, interviews with donors and other CSOs partners reveal a significant deficit in democratic processes, sharing, consultation and communication within most associations. Often, the president of the association has all powers of decision, and rarely consults the other members of the steering committee.

2.3.5 Financial resources

The counter-performance observed in financial capacity further accentuate the regional polarization with the Greater Tunis, which, showing the same score as for human resources, ranks first, leaving behind the associations of other regions. The deficit in the mobilization of financial resources is added to the lack of adequate training observed in that area.

Thus the dimension “capacity to raise funds” shows a deficit among the lowest (0.9) due to a general lack of funding mechanisms. The majority of associations do not have knowledge of potential funding opportunities and their application procedures. No association can describe the ingredients of a successful application for funding, and the search process for funding projects is, for the most part, based on trial and error rather than on a well-established fundraising strategy. Therefore, since funding opportunities are considered rare, associations consider that in case of application rejections, their bargaining power is greatly reduced.

Table 19: Capacity Index: The financial resources

	3. Financial Resources	Specific dimensions	
		31. Capacity to raise funds	32. Financial autonomy
Greater Tunis	2,9	3,3	2,5
East	1,0	1,0	1,0
Northwest	1,0	0,2	1,8
Central West	0,7	0,3	1,1
Southeast	1,7	1,1	2,3
Southwest	1,1	0,8	1,5
Total	1,3	0,9	1,6

This feeling of helplessness is further compounded with the fact that the reasons for refusal are rarely discussed by donors. Associations find themselves back to the beginning without being able to know the adjustments and improve their competence in the field. Not surprisingly, only two associations say they have been able to fund all the projects they had initiated.

Limited capacity to raise funds for their project very quickly reflects on the financial independence of associations. The *financial independence* dimension shows that associations are generally reluctant to diversify their sources of funding. In a situation where funding opportunities are perceived as "rare", it is not surprising, therefore, that association tend to develop relationships of "loyalty" with donors who have already paid.

2.3.6 Relational performance

The predominance of the Greater Tunis region is also evident in the field of relational performance, for which, it should be noted, the Eastern Region has the lowest score. However, this regional imbalance comes from both from the gaps observed in networking relations and the lack of efficiency in media communication

Table 20: Capacity Index: The dimensions of relational performance

	4 Relational Performance	Specific dimensions	
		41. Networking opportunities	42. Media environment
Greater Tunis	3,3	2,8	3,8
East	0,6	0,5	0,7
Northwest	1,8	1,8	1,7
Central West	1,3	0,8	1,8
Southeast	1,8	0,9	2,6
Southwest	1,9	1,8	2,1
Total	1,6	1,2	2,0

If associations, including those within the country, believe that networking is beneficial for their actions, very few consider it a strategic choice for the association. The concept of "networking" generally does not exceed the stage of the implementation of punctual actions in partnership with other associations. These actions reflect more the need of associations to better position themselves at the local level than the expression of a quest for better operational efficiency. It should be noted that networking assumes a certain level of trust between partners, which seems the main concern of the associations of the interior, very committed to the principle of transparent decision-making. It could not be otherwise when we know that training in networking is lacking.

In contrast, relations with the media are more leveraged and respond to a more original, even strategic, choice for associations. True enough, this trend is not unrelated to the recent emergence of the media and the prominence they begin to occupy in the process of free speech. However, the determination of associations to use the media is no less true. However, the use of the media, both local and national, is not always systematic and depends on the area of activity of the association. Associations under the category of "political, social and cultural rights" are more inclined to use it, unlike "Women's rights" or "human solidarity" associations. More importantly, the media are considered as a "sounding board" and amplifiers of the association's activities and are rarely seen as an ally for the empowerment of citizens and for advocacy with decision makers. In this dimension, the media are still considered as a tool for marketing the associations rather than a force serving the interests of citizens.

2.3.7 Operational performance

Operational performance is the last link in this chain of capacities, reflecting, thus, the ability of the association to channel other areas of capacity building toward concrete actions carried out effectively and meeting the objectives of the association. It is for this reason that the field of operational performance somehow combines the disadvantages and deficits of other areas of capacity. That is why, once more, the Greater Tunis maintains its lead over other regions whose scores are at the lowest level.

Table 21: Capacity Index: The dimensions of operational performance

	5 Operational performance	Specific Dimensions	
		51. Efficacy in planning and implementation	52. The impact of activities on targeted population
Greater Tunis	3,3	4,3	2,2
East	0,1	0,2	0,0
Northwest	0,5	0,7	0,3
Central West	0,5	0,8	0,3
Southeast	0,5	0,5	0,5
Southwest	0,5	0,4	0,6
Total	0,7	0,8	0,5

This predominance of the Greater Tunis is explained by a *greater efficiency in planning and implementing actions*. This efficiency translates into a clear plan of action in the annual meetings devoted to reflection or strategy, the budgeting, the rigorous monitoring of the budget, all of which appear to be lacking in other associations. Admittedly, planning short-term actions is generally present in the majority of associations forming the sample, but it is subject to frequent revisions reflecting a certain lack of visibility. This is reminiscent of the lack of training in project management highlighted above.

As for the dimension "Impact of activities on the target population", the situation is more problematic, registering the lowest scores, due to three aspects:

First, there is a quasi-general lack of indicators for monitoring and evaluation of projects which deprives associations - including, but to a lesser extent, those of the Greater Tunis - of a necessary tool for assessing the effectiveness of their projects. Not only does this problem reflect a relative amateurism in project management, but it also exposes the association to the rejection of its funding application by the donor, for whom the elaboration of an indicator matrix is a prerequisite. Of course, if the matrix is very useful for internal evaluation purposes, it does not give information on the impact of projects on the target audience.

Then there is an obvious lack of interaction with the audience whose opinion is rarely taken into account and materialized in clear indicators, easy to observe and to communicate. When asked to determine the mechanisms by which organizations ensure that the projects they undertake reflect the concerns of their target audience, almost all associations highlight their fine knowledge of the environment, without providing population feedback. Certainly, state associations conduct satisfaction surveys after the organization of activities, but this is more a requirement dictated by the moment rather than a strategic vision and a systematic concern.

There is, finally, the inability to argue the efficacy of field actions with decision makers. This inability is not only due to the lack of evidence to support both the merits of the actions and their efficacy, but also reflects mistakes or some negligence vis-à-vis the role of advocacy that the civil society must assume. This echoes the kind of relationships the associations have with the media, simply seen as an activity enhancer without potential for empowerment.

Moreover, it is clear that a learning process is under way, since improved operational performance usually accompanies the "maturing" of associations as regards the number of activities implemented. Of course, the high intensity of the activity does not, in and by itself,

ensure good operational performance as defined above, but seems to be a necessary ingredient in that performance.²¹

Variation of operational performance scores according to the number of projects implemented

	Number of activities implemented			Total
	<i>Punctual actions</i>	<i>1 to 3 projects</i>	<i>4 projects and more</i>	
Greater Tunis			3,3	3,3
East			0,5	0,1
Northwest		0,8		0,5
Central West	0,6	0,4		0,5
Southeast	0,3	1,0		0,5
Southwest		0,5		0,5
Total	0,3	0,5	2,6	0,7

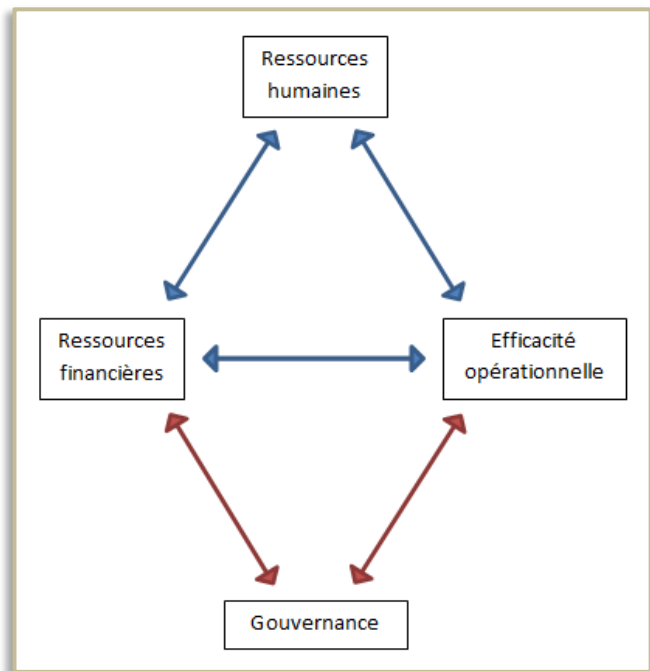
2.3.8 Some concluding remarks on CSOs' lack of capacity

The analysis shows that the different capacity deficits are not independent of one another but they all interact at varying degrees. Although a hierarchy of the five deficits in terms of causality is not easy to establish one might suggest, in light of the diagram below, two entry points for capacity building programs.

First, there are the interventions of "Human Resources", which through their size and training of the members are likely to have a positive impact on the operational performance and financial management. On the other hand, the learning process, possibly supported by a program elaborated by the association, can consolidate learning assets and render the organization more autonomous.

²¹ It is worth mentioning that the definition of operational performance in the study focuses on the institutionalization of best management practices, e.g. the planning and projection of the association in the future, the budgeting of activities and the monitoring and evaluation of projects in relation to the number of activities. Therefore, operational management practices which are rather sporadic, non-institutionalized or involving volunteers' financial commitment, are not taken into account, which would explain the very low scores recorded at this level. For example, one could cite the case of many associations, including in the East, whose funding, of activities, be it partial or total, is provided either by an increased and outstanding contribution of members, or by the multiplication of funding sources, but whose mobilization is highly random and does not intervene in time, jeopardizing the entire project. Such practices, while ensuring the presence of the association in the field, and therefore a certain level of activity, is not able to foster a stable and sustainable policy, which could have a concrete impact on the target population.

Second, initiatives targeting the "Governance" component would offer an alternative intervention to donors. One could, for example, condition the financing of projects by establishing a set of rules of good governance of which associations would be accountable. It would stimulate the reflection of ideas, the sharing of ideas and the commitment of the association to professional practices inherent in community life. In so doing, the appropriation of these practices would result in a greater awareness of the impacts of projects and thence to greater operational efficiency.



3. CSO's capacity building: Needs identification

The study reveals large deficits in CSOs' capacity. These deficits appear horizontal in nature, present in many aspects of community life, and betray some structural dysfunctions. A greater professionalization of the sector is needed, thence the very important role of coaching and training. But how can civil society identify its own shortcomings? What are the areas where the need for improvement is the most felt? To what extent can CSOs' failures be attributed to specific needs which have not been met, and could this be remedied through specific interventions?

3.1 The needs Index

The needs analysis has led to the elaboration of an indicator that synthesizes the shortcomings observed in community work, as expressed by the associations themselves. Mirroring the capacity indicator, the needs indicator is applied to several aspects of community life, and covers 8 areas, each comprising a number of specific dimensions as shown in the following table:

Table 22: Needs indicator: areas and dimensions

<i>Areas of needs</i>	<i>Specific dimensions</i>
Organizational strategy	Developing a mission, vision and goals
	Development of an organizational structure for the association
	Development of management skills and leadership
	Development of a system for monitoring and evaluating the success of the organization in relation to its goals
Projects management	Project work (identification and planning)
	Implementation of projects (execution)
	Development of a system for evaluating projects (i.e., impact study)
Financial management	Fund seeking strategies
	Knowledge of donors operating in Tunisia
	Fund Seeking grant proposals
	EU grant-seeking training
	Preparation and monitoring of budgets
	Training in accounting / financial management
Staff management	Training for volunteers (involvement, motivation)
	Training for employees (administrative or technical management)
Communication and media	Preparation of project reports for wide dissemination
	Valorization of projects and communication with different stakeholders (target audience, media, public / private institutions)
	Advocacy skills (or lobbying) with institutions (government, governor, mayor)
	Strategies of media communication (media relations)
Exchange and networking	Organization of joint seminars for local stakeholders
	Twinning with other NGOs (regional or international)
	Organization of educational / informative stays
	Staff exchange between NGOs from the South and the North of the Mediterranean
	Support for networking / partnership
Logistics	Technical assistance for specific projects
	Logistical assistance (renting premises)
	Logistical assistance (for the purchase of office equipment)
Stakeholder engagement	Collaboration with the private sector
	Community mobilization around the objectives / activities of the association

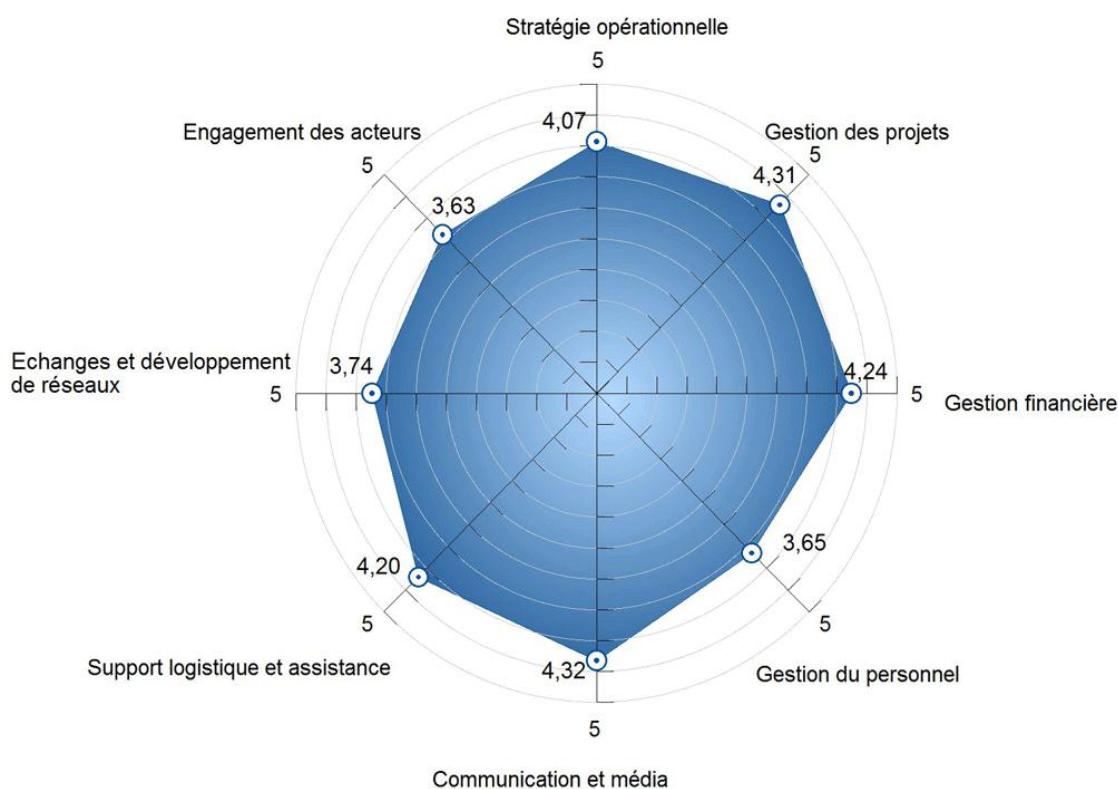
For each specific dimension, the associations of the sample were asked to assign a rating - or score - which would express the level of importance attached by each association to the further development of that dimension (see questionnaire in appendix). If the association is fully satisfied with its current capacity for a given dimension, it assigns the value of 1 to that dimension. However, when the association perceives that its shortcomings are important and that they are a priority, it assigns a 5.

The rating corresponding to a particular area of need is the average of the scores assigned to its specific dimensions. On the other hand, the overall rating of the association is the sum of the respective scores of each of the 8 areas of need. Thus, values range from a minimum of 8 and a maximum of 40.

3.2 Needs analysis

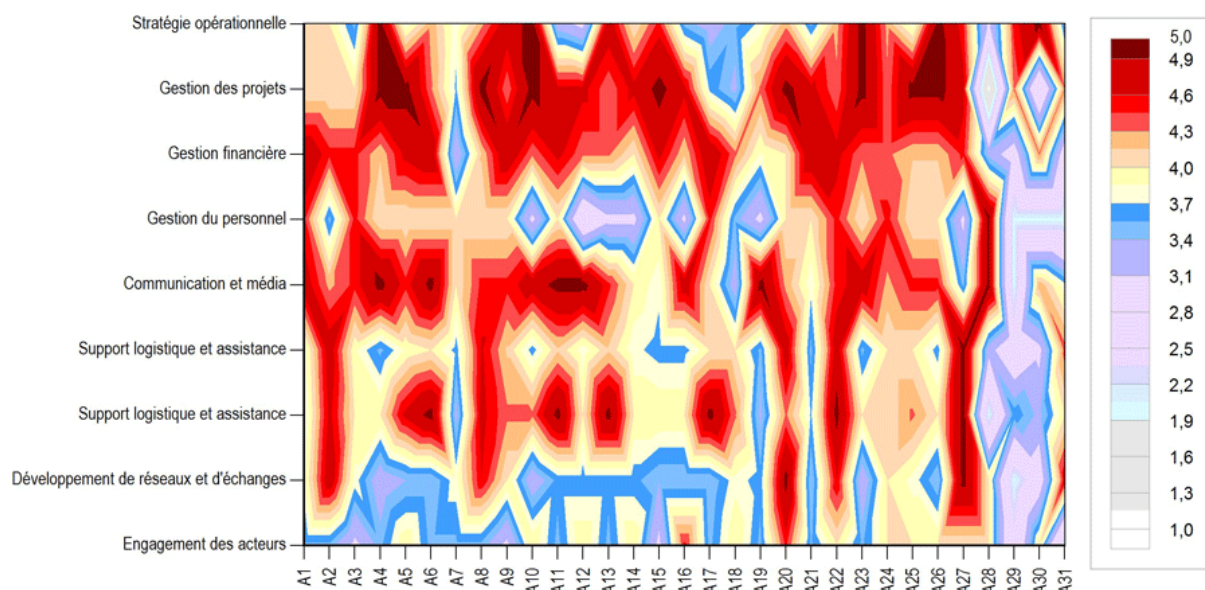
At first glance, the needs index reveals a high level of priority for the different needs expressed by the associations. This again indicates the acuity of unexploited opportunities for growth, which would require a large-scale professional intervention simultaneously affecting several aspects.

Graph 25: Needs Index by area of activity

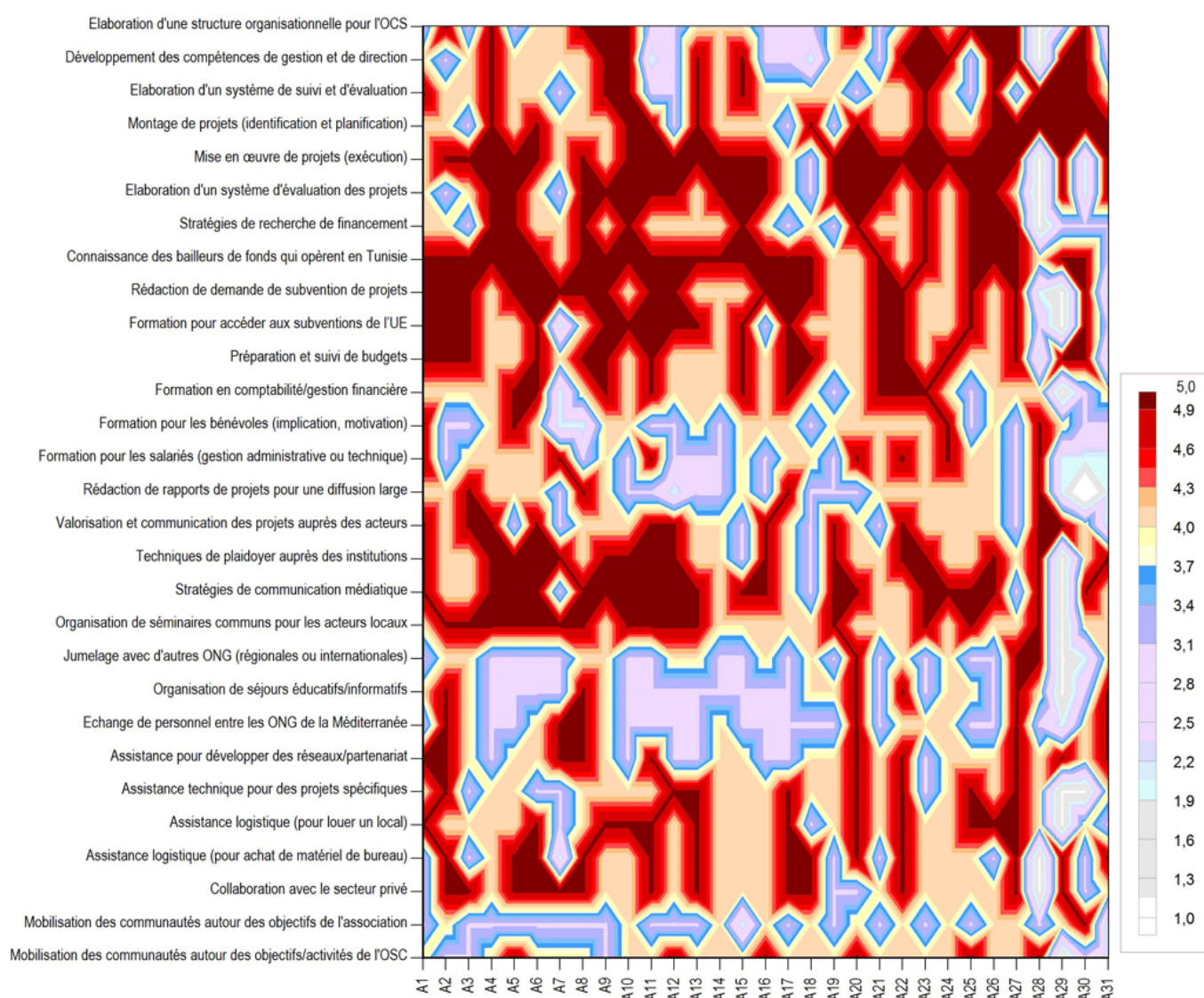


The graph above shows the breakdown of all the associations surveyed according to the scores assigned to the different capacity areas, and in particular a higher concentration of needs in project management, financial management and communication (red areas in the graph) and a lower concentration of needs in staff management, exchange and network development and stakeholder engagement, generally for CSOs in the Greater Tunis (blue area in the graph):

Graph 26: Needs Index by association and by area



Graph 27: Needs Index by association and by dimension

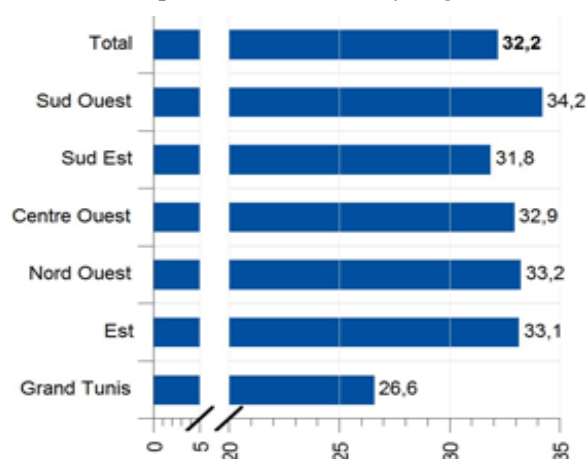


Regional comparisons clearly set apart the Greater Tunis, whose expressed needs are of lower priority while the other regions show values that are rather close. It is worth mentioning, however, the extreme position of the Southwest, composed of the governorates of Gafsa, Tozeur and Kebili, where the urgency of needs reaches a critical level.

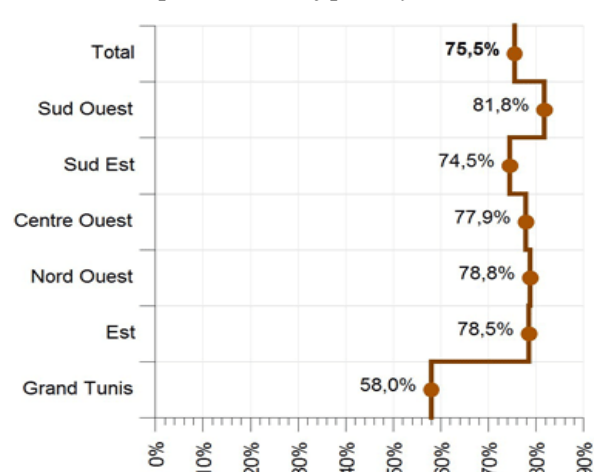
Table 23: Needs Index by area and region

Region	Greater Tunis	East	Northwest	Central West	Southeast	Southwest	Total
Operational Strategy	4,0	4,0	4,1	4,1	3,8	4,5	4,1
Project Management	3,0	4,0	4,7	4,5	4,4	4,7	4,3
Financial Management	3,3	4,7	4,4	4,3	4,3	4,4	4,2
Staff management	2,8	4,0	4,2	3,6	3,6	4,0	3,6
Media and Communication	3,8	4,5	4,7	4,7	4,1	4,3	4,3
Logistical support and assistance	3,3	4,2	4,2	4,5	4,1	4,4	4,2
Exchange and network development	3,4	4,3	3,5	3,7	3,7	4,0	3,7
Stakeholder engagement	3,1	3,5	3,5	3,6	3,8	3,9	3,6
Needs Index	26,6	33,1	33,2	32,9	31,8	34,2	32,2
Level of priority needs	58,0%	78,5%	78,8%	77,9%	74,5%	81,8%	75,5%

Graph 28: Needs Index by Region



Graph 29: Level of priority needs



Further, the needs index allows to distinguish two groups of distinct needs that can be called respectively "significant and high priority needs" and "significant but low priority needs".

The first group of needs includes operational strategy, project management, financial management, communication and media and logistical support, with a score ranging from 4.1 to 4.3. The second group, on the other hand, includes staff management, exchange and networking, and stakeholder engagement in community life. This group shows a lower score (3.6 - 3.7). Since the prioritization of areas is consistent with the previously established capacity diagnosis, two important aspects can then be highlighted.

On the one hand, prioritization shows that associations are generally aware of their shortcomings - weak financial and logistics capacity, inefficient internal organization, difficulty in implementing actions. On the other hand, another reading tends to reveal that these shortcomings are underestimated; yet, they are essential to achieve greater efficacy and the greatest impact of actions, such as those involving networking, stakeholder engagement (public,

private, target population), and finally staff management (motivating volunteers and staff training in administrative management).

On the other hand, an effect of "learning by doing" can be observed. This maturity is more "operational", as it relates directly to the experience in the field through the number of projects carried out, rather than "time-related", relative to the age of the association. Therefore, associations registered before January 2011, but with a limited number of activities, can have the same needs as younger associations.

Table 24: Needs index by activity

<i>Région</i>	<i>Actions épisodiques</i>	<i>1 to 3 projects</i>	<i>4 and more projects</i>	Total
<i>Operational Strategy</i>	4,2	4,1	3,7	4,1
<i>Project Management</i>	4,4	4,5	3,2	4,3
<i>Financial Management</i>	4,4	4,3	3,0	4,2
<i>Personnel management</i>	3,5	3,8	3,0	3,6
<i>Media and Communication</i>	4,4	4,5	3,6	4,3
<i>Logistical support and assistance</i>	4,4	4,1	3,2	4,2
<i>Exchange and networking</i>	3,7	3,8	3,5	3,7
<i>Stakeholder engagement</i>	3,7	3,8	2,8	3,6
Needs Index	32,6	33,0	26,1	32,2
Level of priority needs	76,9%	78,2%	56,4%	75,5%

3.3 Needs prioritization

Reflecting a recurrent concern within associations, the problems related to fund seeking have the highest priority. Therefore, it is not surprising that financial management inefficacy is closely related to the capacity deficit. On the other hand, it would be wrong to see in this constant search for funding the only remedy to the situation.

Indeed, if the majority of associations (between 58% and 77%) consider that the needs relative to fund seeking and the knowledge of donors operating in Tunisia are a priority, many of them also give priority likewise to operational issues, such as project implementation and execution. However, almost all associations have not received adequate training and have no reference frame as regards good practice. Therefore, it is necessary to consider that despite the initial enthusiasm, there is now a growing awareness within civil society that the financial support needed may be inadequate unless it is combined with appropriate training in operational strategy.

This awareness of civil society is another expression of the emphasis put on the areas of communication for advocacy and on the elaboration of impact indicators. These are 2 areas in which the capacity deficits are the most pronounced, but given the concerns expressed by the associations, these deficits seem to result more from the somewhat euphoric situation which developed in the new community life rather than from a lack of interest. This interest, clearly displayed, deserves therefore all the necessary support.

Moreover, it would have been desirable that more concerns for aspects of internal functioning transpire from the study. Thus the development of an organizational structure or the establishment of benchmarks for strategic association (mission and objective), albeit identified as "very important needs", occupy a middle position in the ranking of priorities. The same can be

said about the mobilization of volunteers, which, we have seen, shows a significant capacity deficit, yet does not generate great interest from the associations.

Finally, the lack of interest in working with the private sector deserves more attention. There is, of course, constantly renewed attachment to the independence principle of associations vis-à-vis partisan positions, but the use of private financing, already practiced by a few associations, would not only increase financial capacity, but would also involve all stakeholders at the local level. Obviously, this approach presupposes the establishment of a culture of organization with a minimum of rules of transparency and means of control to prevent potential slippage.

Table 25: Needs breakdown by level of priority

	Specific dimension of the need	Medium level of importance	Related to priority need
High-priority needs	<ul style="list-style-type: none"> - Fund seeking strategies - Project elaboration (identification and planning) - Advocacy Techniques - EU grant-seeking training - Media Communication Strategies - Knowledge of Donors operating in Tunisia - Valorization of projects and communication with stakeholders - Development of an internal monitoring-evaluation system - Project implementation - Fund Seeking grant proposals 	<ul style="list-style-type: none"> - 4.7 - 4.6 - 4.5 - 4.4 - 4.4 - 4.4 - 4.4 - 4.3 - 4.3 - 4.3 	<ul style="list-style-type: none"> - 77% - 77% - 65% - 52% - 48% - 58% - 52% - 45% - 58% - 52%
Important needs	<ul style="list-style-type: none"> - Technical assistance for specific projects - Logistical assistance (for the purchase of office equipment) - Development of management skills and leadership - Preparation of project reports for wide dissemination - Staff exchange with foreign NGOs - Logistical assistance (rent for a room) - Development of an evaluation system to measure impact - Budget preparation and monitoring - Development of an organizational structure - Assistance for networking / partnerships - Community mobilization - Developing a mission, vision and goals 	<ul style="list-style-type: none"> - 4.2 - 4.2 - 4.2 - 4.1 - 4.1 - 4.1 - 4.0 - 4.0 - 3.9 - 3.9 - 3.9 - 3.9 	<ul style="list-style-type: none"> 39% 42% 35% 35% 32% 42% 32% 29% 39% 26% 19% 35%
Less important needs	<ul style="list-style-type: none"> - Training for volunteers (involvement, motivation) - Training in accounting / financial management - Organizing educational / informative trips - Staff development (administrative management) - Twinning with other NGOs (regional or international) - Joint seminars for local stakeholders - Collaboration with the private sector 	<ul style="list-style-type: none"> - 3.7 - 3.7 - 3.6 - 3.6 - 3.6 - 3.5 - 3.4 	<ul style="list-style-type: none"> 23% 13% 19% 13% 19% 10% 3%

4. Donors' Initiatives

4.1 The international support to Tunisian civil society

The burst of citizen enthusiasm that gave life to the new civil society - and upon which civil society still continues to feed to this day - seems to have received a favorable echo from various international donors. True enough, the intervention strategy of donors in Tunisia has at all times and to different degrees, integrated support to civil society; yet by the past a certain "specialization" of donors had emerged around an intervention thematic in which issues of civil and political rights occupied a rather modest niche. The context of the recent dynamics of political democratization in general and the emergence of new categories of associations, in particular those for the defense of political, civil and economic rights, have dictated a rapid reorientation or restructuring of donors. This repositioning is reflected both by the broadening of their scope of action, which, until recently, has been rather limited, but especially by mobilizing substantial resources, both technical and financial.

On the one hand, the changes in terms of donors' involvement are especially remarkable in terms of support to the CSOs active in the fields of political rights and basic liberties. The support hitherto reserved for large associations, such as those defending human rights or promoting the rights of specific groups (e.g., the Tunisian League of Human Rights, the Association of Tunisian Women for Research and development, the Association of Women Democrats or the General Union of Tunisian Workers) now extends to newly created associations.

The political agenda of 2011-2012 seems to have motivated donors to further support CSOs active in the field of political participation, democratic awakening, voter education and election monitoring. However, donors still prefer CSOs whose activities extend to the national level, thereby targeting a wider audience of citizens. Therefore, support for young local CSOs is provided rather through their involvement in networks having a broad coverage. However, the development of these networks has now reached its limits, due to the weak institutional capacity of new associations in regions of the interior of the country. This has caused a decrease in the financing of activities carried out by local associations, despite the efforts or priorities that donors attach to greater regional involvement.

Second, the reorganization of donor intervention for CSOs active in civil, political and economic rights has led to a greater diversification of donors. This diversification finds its first expression in the proliferation of thematic action brought by donors, who until recently had specialized in particular areas of community life, such as local development, environment and women's economic empowerment, and who now redirect their interventions toward associations working for the defense and promotion of human rights. Secondly, this diversification appears in the emergence of new stakeholders, alongside the traditional donors - the European Union, the Foreign Cooperation, and the UN system - which sometimes serve as intermediaries between the donors themselves and the Tunisian CSOs.²²

²² They are usually international NGOs (or foundations), which, in addition to having their own financial resources, participate in calls for projects of donors active in Tunisia and create partnerships with NGOs, especially those located in the interior of the country.

On the other hand, the new array of funding resources is accompanied by a substantial increase in funding available to civil society. No better fact can summarize the enthusiasm of donors, led by the hopes of the "Arab Spring", than the new strategy of the European Union, making of the establishment of "a flourishing civil society" one of the pillars for "increased assistance to partners who are working to deepen democracy".²³ Thus, to meet the new requirements in terms of democratic participation and to strengthen civil society, a number of international partners already active in Tunisia have seen their budgets double or triple or even more.²⁴

Graph 30: Planned budgets in support of civil society

The identification of funding provided by donors has proven extremely difficult to establish due to several communication constraints. Partial data made available shows an envelope of over 30 million TND mobilized since 2011. The following graph and table opposite give detail information on donors:²⁵

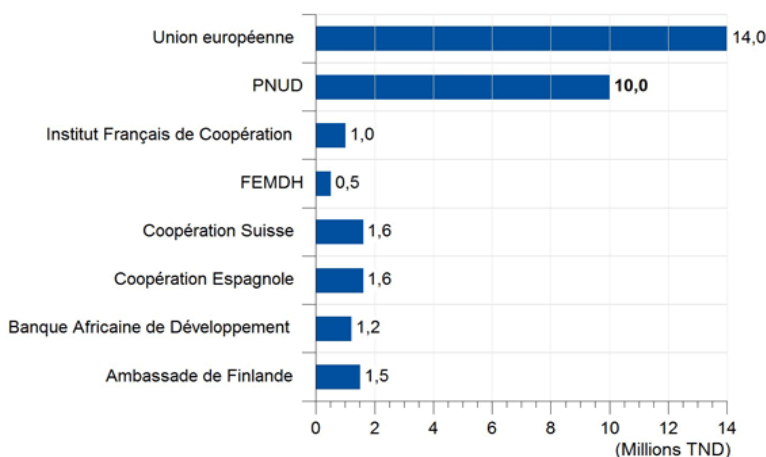


Table 26: Planned budgets in support of civil society in Tunisia

Donors	Planned Budgets in support of Civil Society (in TND)
European Union	14 millions (2011-2014)
United Nations Program for Development (UNDP)	10 millions (2011 – 2014)
Swiss Cooperation	1.6 millions (2011 – 2012)
Spanish Cooperation (does not include projects launched before 2010)	1.6 millions (2011 – 2013)
Embassy of Finland (Conjointly with Libyan civil society)	1.5 millions (2011-2013)
African Development Bank	1.2 millions (2012 –)
French Institute of Cooperation (Social Development Fund)	1 million (2011 – 2013)
Euro-Mediterranean Foundation of Support to Human Rights Defenders	0.5 million (2011-2012)

²³ "A New Strategy with Respect to a Changing Neighborhood," European Commission, May 2011, to consult online at: http://ec.europa.eu/world/enp/pdf/com_11_303_fr.pdf

²⁴ This is the case for example for the Friedrich Ebert Foundation, which has significantly expanded its scope to accommodate the new CSOs defending of civil, political, economic rights, or even the Embassy of Finland, in which funds to support civil society (Local Cooperation Fund) increased from about 40 thousand dinars in 2010 to over 500 thousand dinars in 2011.

²⁵ The figures in this table are indicative and should not be understood as specific or exhaustive data on engagements from donors. They are the result of consultations with donors or a combination of several sources, including the matrix of projects developed by the European Union online at the address: http://eeas.europa.eu/delegations/tunisia/documents/projets/2matrice_projetstecivile_fr.pdf

However, this massive availability of funding resources, with shows a growing trend, is likely to face two problems. There is first of all a necessary and prompt adjustment that the donors themselves have to make, in terms of management capacity of a growing number of projects and investments funds. Then there is the currently limited absorption capacity of the civil society itself. Ought we not to identify the cause of the current, rather contradictory situation, where new associations point to the lack of funding as their main obstacle, despite the widely available financial resources?

Faced with this multiplication of dispersed donors' initiatives, the work of the "Coordination Group of donors and international organizations to support Tunisian civil society" launched in early 2011 by the EU Delegation in Tunisia led to the edification of a "Project Matrix" summarizing the major projects planned or launched.²⁶ This matrix is the result of commendable efforts made in collecting and sharing information between different technical partners and financiers.²⁷ Although it contributes to a better visibility of the proposed projects and the amounts allocated, the Project Matrix" does suffer from a lack of harmonization in the information and detailed categorization of projects, as well as from non-compliance due to duplicated projects.

It has thus become difficult to objectively assess the amounts allocated to the associations of civil, political and human rights, as well as their geographical distribution. However, a good illustration of this commitment can be seen in the EU's support, with nearly 8 million dinars, or nearly 60% of the total budget allocated to supporting civil society.²⁸ It is worth mentioning that the initial objectives of the "Coordination Group", including the coordination of approaches, thematic prioritization, collaborative planning intervention, does not seem to be currently met, mainly because of donors' insufficient involvement. This calls for a total obligation of transparency on the part of donors, coupled with a genuine desire for collaboration – a collaboration required by all donors although the conditions for participation (availability, transparency, sharing) are in reality stringent.²⁹

4.2 The financing of Tunisian CSOs' capacity building

In view of the capacity analysis presented in this study, the capacity of the new CSOs clearly emerges as the Achilles heel of Tunisian civil society. This finding is largely shared by various donors. This aspect of the intervention has not yet received full attention, however, given the reluctance in engaging in actions of that kind.

²⁶ September 17, 2012, the project matrix amounted to 162 projects in support of civil society in Tunisia from 7 countries - Germany (8 projects), Canada (2 projects), Spain (22 projects), United States of America (48 projects), France (10 projects), Japan (4 projects), the Netherlands (9 projects) United Kingdom (18 projects), the European Union (24 projects), FAO (4 projects) and UNDP (2 projects). See for more details online: http://eeas.europa.eu/delegations/tunisia/projects/overview/civil_society_fr.htm.

²⁷ Memo "Support for Tunisian civil society - Dialogue and Coordination," EU Delegation in Tunisia November 2011. "Diagnostic Report on the Tunisian civil society," EU Delegation in Tunisia, March 2012

²⁸ Estimate from the database of the EU, taking into account the category of projects under the heading "Political Participation and Civil Society." See for more details: http://eeas.europa.eu/delegations/tunisia/documents/projets/projets_ue_stecivile_ver2_fr.pdf

²⁹ In consultations with donors, it is common to meet the demand for a common platform of exchange for more effective work coordination, a request which, however, runs counter to the actual implementation.

Indeed, the approach of donors on capacity building has today three forms:

- ❑ The implementation of specific programs for CSOs' capacity building³⁰. One should note, however, that such actions are rare and fall short of the aspirations of the associations themselves. Among the projects identified by the "Project Matrix" of the EU in the category "Political Participation and Civil Society", only 11 projects focused on capacity building for an estimated 4 million dinars divided between the EU (which contributes around 2 million dinars), the Spanish Cooperation (1.2 million), the German Technical Cooperation - GTZ (0.8 million) and UNDP (0.9 million).
- ❑ Integration of the component "capacity building" in funded projects resulting from either a diagnosis by an external consultant or by the allocation of a given percentage of funding - between 10 and 15% - for initial training set by the donors. This process seems to be most commonly used by technical cooperation.
- ❑ The assistance provided to the associations in the execution phase of the projects seems a more widespread *modus operandi* among foundations and international organizations.

However, it is clear that the last two forms of intervention are not always consistently applied. Therefore, many donors provide funding without taking account the capacity building aspect. It would be useful to include a brief but substantial capacity evaluation as a prerequisite for project funding applications. Yet, the different evaluations of associations after the project is submitted do not exceed the scope of the project, and it is very rare that aspects related to governance, management and staff training are examined.

In addition, the diagnostic capabilities of the association would be a useful assessment tool in evaluating and predicting the potential impact of funded programs. Although donors seem confident about the capacity of some large new associations in terms of advocacy and influence on public policy, it is nonetheless true that, for almost all new associations, the power to mobilize citizens remains still insufficient.

³⁰ To cite this as the project "ARCA - Action Capacity Building Associative" co-financed by the EU and German International Cooperation (GIZ) with a budget of 200 thousand dinars, which aims, among other things, to "support organizations in the implementation of actions that foster citizen participation (in local public life)" and to improve "their knowledge in terms of participation in political life." Covering a broad geographical area (6 governorates of the West), the program is aimed at about thirty young associations through basic training and specialized activities, as well as the supporting associations in developing and implementing of their project.

5. Conclusions and Recommendations

5.1 Strengths and weaknesses of Tunisian CSOs

The recent development of CSOs reflects the enthusiasm of Tunisian society driven by the awareness of the importance of citizen action. All the CSOs surveyed find their "*raison d'être*" in that societal need to express themselves and organize, and to direct energy towards the achievement of common interests. Most of the time that "*raison d'être*" inspires and determines the scope of CSOs. CSOs, in total osmosis with the local context, are more likely to define their actions in a limited geographical area which rarely exceeds the level of a few cities in the same governorate.

At first glance, the analysis of CSOs' capacity reveals a strong regional disparity with, on the one hand, the Greater Tunis where CSOs stand out significantly in terms of high performance, and on the other hand, the other regions of the country, ranking more or less at the same level of performance and showing pronounced capacity deficits. Despite some similarities between the associations of different regions, there are regional differences which result from the combination of several factors or capacity dimensions.

In terms of governance, independence of the CSOs vis-à-vis external structures (the government, politics) gathers the most consensus among associations and is likely to remain an indisputable fact. This rather homogeneous behavior betrays the determination of associations to keep away from politics. One cannot fail to recall that members perceive civic engagement in opposition to political commitment. However, the internal functioning of the association is deficient. Thus few CSOs give importance to the drafting of the by-laws regulating the activity of the association such as the mission, vision and goals of the association. In fact, CSOs generally find sufficient the articles of association established during their inception and which remain, therefore, quite general in nature and unsophisticated.

Beyond the organizational aspect, the absence of documents charting the formal commitment of the association, and to the extent that those documents would serve as a guide for action, is not without consequence when considering the impact of associations on target populations. Moreover, the absence of rules is such that meetings are not followed by note reporting and sharing (as in minutes or a report) that would ensure the compliance and fluidity of the information as well as that of the decision-making process. When decision making is reached in a collegial manner and is the fruit of a consensus shared among members, it is not always reported in a written document brought to the attention of the members, and therefore does not represent a formal commitment.

A positive sign of citizen commitment, volunteer work is for the members of most CSOs a primary source of mobilization. However, the dynamics of community life, or the ambition of CSOs to greater professionalism, encourages them to want to rely more on paid employment to expand their activities, but also to gain some visibility in relation to different local actors (public authorities, other CSOs, target audience). This is essentially the case when hiring unemployed young university graduates who have had in the past little or no experience in community life. However, the lack of financial resources rapidly hampers the associations, thereby jeopardizing their chances for sustainable actions.

On the other hand, many members of CSOs, motivated by volunteer work, have discovered only recently the experience of mobilization in community life. At this level, the widespread lack of training in community life and association management is undoubtedly a handicap toward the professionalization of the sector. CSOs' staff inexperience and lack of training add up to the other deficits observed in CSOs' management.

With regard to the mobilization of financial resources, we are witnessing a paradox. While the list of donors continues to grow, and while they are having difficulty finding niches for their grants to civil society, almost all CSOs - except for the CSOs based in the Greater Tunis - experience serious difficulties in seeking funds for their projects. These difficulties result from the lack of knowledge about the donors who would be susceptible to support their initiatives. Yet another more important difficulty lies in the financing of project proposals which, most of the time, do not satisfy donors and imply the rejection of the funding application, which is generally not supplemented by explanations or guidance for better development, which is likely to confuse the association unable to seek help to improve the quality of its work. The deficit in financial resources directly affects the stability and weakens the scope of activities of the association. Thus, most CSOs cannot afford to rent premises and are confined to rather limited actions, completely based on the contribution, time and money of their members.

In general, organizational and financial weaknesses lead to a "very modest" operational performance. This is reflected not only in the limited number of activities carried safely but also in the ability of the organization to interact with other players-catalysts such as the media, or with other partner organizations. We observe first that the relationship with the media, in the rare cases where it exists, is sought and is the result of a cooperation strategy established by the association in order to involve the media in the early phases of projects (project announcement, launch preparations, project execution etc.). On the other hand, the development of networks and partnerships with other CSOs is likely not to be the preferred mode of CSOs insofar as it is not a strategy for cooperation and sharing roles, but rather responds to the requirements of momentary collaboration (punctual actions). It is therefore not surprising that few CSOs have knowledge of networking opportunities with other sister organizations in the same field of action, even in the same city.

Ultimately, the capacity management deficits and resource mobilization coupled with a certain disconnection with media and a lack of networking - or at least, lack of relay - hampers the real and lasting imprint on the target population. This is reflected not only through the quasi-total lack of indicators for project monitoring and evaluation, depriving the association of a necessary tool to assess the effectiveness of its projects, but also through the lack of interaction with the target audience. The opinion of the public is rarely taken into account, or translated into clear indicators, easy to observe and communicate. This inability to account for the impact of its actions (except sometimes when conducting satisfaction surveys of the target audience) limits in turn the ability of the association to play its advocacy role with policy makers. This failure of an essential role of community life is not only related to the absence of evidence in support of both the merits of the actions and their effectiveness, but also greatly reflects some inadvertence or negligence vis-à-vis the advocacy role that civil society must assume.

5.2 Priority areas

The present evaluation study about CSOs' capacity reveals structural weaknesses within CSOs which may prevent them to fulfill their role in a constructive political dialogue. Where training is ranked as a top priority, it should be broken down in several aspects such as:

- ❑ The ability of CSOs to unite citizens' aspirations. At this level, many CSOs operate without maintaining a constant connection with the people. They consider themselves to be the spokespeople. By giving due importance to citizen mobilization and anchoring on the lives of people, CSOs gain confidence vis-à-vis the government, which increases their ability to negotiate with decision makers.
- ❑ The strategic organization of the association: the willingness to good strategy. One thing that seems to be unanimous among associations is the lack of visibility that CSOs have about their actions and thus about the impact of their actions. Most of the time, CSOs are exempt from medium / long term activities and their activities are only momentary. If this is the inevitable reflection of a political-economic situation somewhat shifting, it is no less detrimental to the development of civil society, whose contribution is expected to contribute to the country's stability. CSOs which project themselves into the future are able to have greater influence in a constructive political dialogue.
- ❑ The operational management of the association: the right strategy for effective action. While this aspect includes various orientations, the focus should initially be placed, however, on the ability to mobilize staff, including volunteers. Indeed, community life should be primarily based on volunteerism, which remains the foundation for community action development. However, professionalism is also a need for the development and sustainability of the life of the association. Appropriate and relevant distribution of tasks, responsibilities and stimuli are enough to maintain a sense of belonging. Secondly, the need to evaluate the impact of one's own actions on the target population should be highlighted. A CSO able to demonstrate impact, however small it is, has a real chance to play its advocacy role with the public authorities.

However, capacity building for greater effectiveness of CSOs in the dialogue may not be enough as the mechanisms that could make the dialogue possible are lacking. This is why the institutional aspect is considered a high priority for intervention. This could be achieved through advising, study or multi-view reflection to reach a concrete proposal for legislation or mechanisms that would regulate and formalize the political dialogue with CSOs.

5.3 Increased efficiency of existing instruments

At present, the involvement of human rights CSOs in the political dialogue is limited to an advisory function that CSOs perform without seeking the implementation of mechanisms which would take into account civil society demands. This advisory function still needs to find its institutional framework, for government interaction with civil society operates mainly at the request of the former, in order to appreciate the requirements of the moment, and without any planning or collaboration strategy. At this level, everything remains to be invented: the laws and the consultation procedures.

On the other hand, the absence of effective mechanisms enabling CSOs to be involved, as well as the fact that their proposals are not given full attention, may be detrimental to social peace during construction. Currently, while civil society does embrace a wide range of citizens' concerns, it faces difficulties, however, in its role as vector ensuring that the rights of citizens be enforced. Indeed, many citizen's demands find today no other legitimate expression but in the

contestation of or in the confrontation with the government, away from the dialogue that could facilitate the work of CSOs. Therefore, political authorities can gain from promoting that dialogue, and even guarantee its success.

Fortunately, there is a solid basis for the promotion of a citizen's participatory approach³¹ which should be encouraged to expand and extend to several areas. In this regard, due to the citizen nature of their grassroots, but also thanks to the highly educated level of their members, CSOs are expected to play a significant role in terms of law-making and the development of local and regional projects.

This is why the dialogue between the government and CSOs can only take place:

- ❑ If the institutionalization of mechanisms and tools for dialogue and cooperation is achieved through the promulgation of regulations, the establishment of bodies and structures and review procedures for public services. To this end, CSOs should already suggest a platform of collaboration with the local and national decision-makers;
- ❑ And if CSOs, especially those that operate at the local level, develop their citizen's and popular grassroots, while keeping at bay attempts at partisan co-option. This would tend to strengthen mutual trust and the dialogue that would derive from it.

The rather mixed overall assessment that CSOs have on their relationships with donors comes from the unanimous observation that donors, when they do not simply dictate their objectives, tend to remain spectators without any involvement in civil society but financial. There is a divergence of vision between "traditional" donors and CSOs, for which the current funding context that shapes their relationships is not enough, claiming that it should facilitate joint projects for sustainable support. Beyond a generally positive perception of the support provided by foundations, it is to be expected that the demand made to the donors - that they would get also involved in a partnership other than financial - be further solicited in the future.³² These expectations toward the donors are an even more pressing issue as young CSOs are far from having reached an operational maturity that would guarantee them full autonomy.

³¹ One can mention, for example, the field of election monitoring where CSO participation was recognized by the government as having greatly contributed to the success of the first multiparty elections in October 2011.

³² One can mention, as well, the case of CSOs which submitted projects to Foundation for the Future, and were denied funding without any explanation or recommendation for future project applications.

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Appendix 1: Associations Created in Tunisia in 2011: Breakdown by Category and by Governorate

					School Development			Charitable and Social	Cultural and Artistic					
Tunis	10	49	52	7		3	86	92	116	68	13	12	127	635
Ariana	2	10	4	9	1		28	40	10	11	12	4	21	152
Ben Arous	1	4		2			13	25	22	5	11	1	10	94
Manouba	1		1	1		2	4	8	8	1	1	1	7	35
Nabeul	1	16		3		3	10	25	21	1	4	2	5	91
Zaghuan		1					1	4	1		3			10
Bizerte		6	7	2			8	19	7	2	6		7	64
Béja		1					3	5	4	1	2		3	19
Jendouba		2		1			7	4	10		1			25
Le Kef	1	1		1		1	9	5	5	1		1		25
Siliana			3	2			2	8	2	1				18
Kairouan	3	6	2				6	13	8	4	4		4	50
Kasserine		5		5			45	11	9	1	3	2	2	83
Sidi Bouzid		5	5	3		1	18	18	8	1	5	1	2	67
Sousse	3	15	1	5	3	3	12	37	27	13	9	1	14	143
Monastir	3	6		1		1	14	18	25	8	10	2	11	99
Mahdia	2	2	1		1		10	16	10	1	6		5	54
Sfax	1	6	2	3		2	12	33	42	11	6	3	21	142
Gafsa	1	5	1	2			10	11	19	2	2		1	54
Tozeur				1	1		2	8	5	1				18
Kébili			2	1		1	12	19	15		3	4	1	58
Gabes	2		1	3	1		6	11	9	4	2		4	43
Médenine	1	5	2	4			16	40	15	3	6	1	4	97
Tataouine	1	8	4	2			11	18	13	1	5	2	1	66
Total	33	153	88	58	7	17	345	488	411	141	114	37	250	2 142

Source : IFEDA

Appendix 2: Associations Created in Tunisia in 2012 (to December 31, 2012) : Breakdown by category and governorate

					Développement des écoles			Bienfaisance et sociales	Culturelles et artistiques					
Tunis	8	48	57	22		3	59	124	141	41	33	4	85	625
Ariana		21	9	3		2	23	31	29	5	11	2	21	157
Ben Arous	2	6	6	4	1	1	12	34	43	8	12	1	14	144
Manouba	1	2	2				9	14	13	2	1	3	9	56
Nabeul	1	3	2	13		1	28	30	31	3	13	1	11	137
Zaghuan		1		1			6	7	5	1	4		1	26
Bizerte		5	7	4		1	20	26	20	5	5	3	8	104
Béja	1	3	1	5			13	12	7		1		1	44
Jendouba	1	3		3			15	23	7	2	3	1	1	59
Le Kef		1		1		2	21	12	5	3	1	1		47
Siliana		1		2		1	7	8	8	1				28
Kairouan	2	5	1	1	1		15	19	9	2	7		5	67
Kasserine	1	4	1	3			84	25	14	2	4		2	140
Sidi Bouzid	1	4	3	6		1	35	29	28	2	4	2	2	117
Sousse	1	9	1	4	2	2	12	40	37	7	11		24	150
Monastir	3	7	2	4	11	3	17	22	17	8	13	5	11	123
Mahdia	1		1	1			11	16	13	2	4		3	52
Sfax	4	8	5	5	1	1	20	32	44	13	10	1	27	171
Gafsa		3	1	7		2	71	31	44	7	4	1	4	175
Tozeur		3		3			14	5	10	1	2	1	4	43
Kébili	1	3	1	5	1	3	11	20	15	4	4	3	1	72
Gabes	1	6		8	4	2	27	33	30	5	11		2	129
Médenine	1	9	1	4	1		42	35	25	1	5	2	6	132
Tataouine		2	1			1	18	14	12	2	5		2	57
Total	30	157	102	109	22	26	590	642	607	127	168	31	244	2 855

Source : IFEDA

Appendix 3: Associations Created in Tunisia from January 1, 2011 to December 31, 2012: Distribution by Category and Governorate

					School Development			Charitable and social	Cultural and Artistic					
Tunis	18	97	109	29		6	145	216	257	109	46	16	212	1 260
Ariana	2	31	13	12	1	2	51	71	39	16	23	6	42	309
Ben Arous	3	10	6	6	1	1	25	59	65	13	23	2	24	238
Manouba	2	2	3	1		2	13	22	21	3	2	4	16	91
Nabeul	2	19	2	16		4	38	55	52	4	17	3	16	228
Zaghuan		2		1			7	11	6	1	7		1	36
Bizerte		11	14	6		1	28	45	27	7	11	3	15	168
Béja	1	4	1	5			16	17	11	1	3		4	63
Jendouba	1	5		4			22	27	17	2	4	1	1	84
Le Kef	1	2		2		3	30	17	10	4	1	2		72
Siliana		1	3	4		1	9	16	10	2				46
Kairouan	5	11	3	1	1		21	32	17	6	11		9	117
Kasserine	1	9	1	8			129	36	23	3	7	2	4	223
Sidi Bouzid	1	9	8	9		2	53	47	36	3	9	3	4	184
Sousse	4	24	2	9	5	5	24	77	64	20	20	1	38	293
Monastir	6	13	2	5	11	4	31	40	42	16	23	7	22	222
Mahdia	3	2	2	1	1		21	32	23	3	10		8	106
Sfax	5	14	7	8	1	3	32	65	86	24	16	4	48	313
Gafsa	1	8	2	9		2	81	42	63	9	6	1	5	229
Tozeur		3		4	1		16	13	15	2	2	1	4	61
Kébili	1	3	3	6	1	4	23	39	30	4	7	7	2	130
Gabes	3	6	1	11	5	2	33	44	39	9	13		6	172
Médenine	2	14	3	8	1		58	75	40	4	11	3	10	229
Tataouine	1	10	5	2		1	29	32	25	3	10	2	3	123
Total	63	310	190	167	29	43	935	1 130	1 018	268	282	68	494	4 997

Source: IFEDA

Annexe 4 : Décret-loi n° 2011-88 du 24 septembre 2011 relatif aux associations

مرسوم عدد 88 لسنة 2011 مؤرخ في 24 سبتمبر 2011 يتعلق بتنظيم الجمعيات

إنّ رئيس الجمهورية المؤقت،
 باقتراح من الهيئة العليا لتحقيق أهداف الثورة والإصلاح السياسي والانتقال الديمقراطي،
 بعد الاطلاع على القانون الأساسي عدد 80 المؤرخ في 26 جويلية 1993 المتعلق بانتصاب المنظمات غير الحكومية بالبلاد التونسية،
 وعلى القانون عدد 154 لسنة 1959 المؤرخ في 7 نوفمبر 1959 المتعلق بالجمعيات،
 وعلى القانون عدد 8 لسنة 1968 المؤرخ في 8 مارس 1968 المتعلق بتنظيم دائرة المحاسبات وعلى جميع النصوص التي نقحته وتممته،
 وعلى المرسوم عدد 6 لسنة 2011 المؤرخ في 18 فيفري 2011 المتعلق بإحداث الهيئة العليا لتحقيق أهداف الثورة والإصلاح السياسي والانتقال الديمقراطي،
 وعلى المرسوم عدد 14 لسنة 2011 المؤرخ في 23 مارس 2011 المتعلق بالتنظيم المؤقت للسلط العمومية،
 وعلى الأمر عدد 118 لسنة 1970 المؤرخ في 11 أبريل 1970 المتعلق بتنظيم مصالح الوزارة الأولى وعلى جميع النصوص التي نقحته وتممته،
 وعلى مداولة مجلس الوزراء.
 يصدر المرسوم الآتي نصه:

الباب الأول - المبادئ العامة

الفصل الأول - يضمن هذا المرسوم حرية تأسيس الجمعيات والانضمام إليها والنشاط في إطارها وإلى تدعيم دور منظمات المجتمع المدني وتطويرها والحفاظ على استقلاليتها.

الفصل 2 - الجمعية اتفاقية بين شخصين أو أكثر يعملون بمقتضاها وبصفة دائمة على تحقيق أهداف باستثناء تحقيق أرباح.

الفصل 3 - تحترم الجمعيات في نظامها الأساسي وفي نشاطها وتمويلها مبادئ دولة القانون والديمقراطية والتعددية والشفافية والمساواة وحقوق الإنسان كما ضببطت بالاتفاقيات الدولية المصادق عليها من طرف الجمهورية التونسية.

الفصل 4 - يحجر على الجمعية:

أولا - أن تعتمد في نظامها الأساسي أو في بياناتها أو في برامجها أو في نشاطها الدعوة إلى العنف والكراهية والتعصب والتمييز على أسس دينية أو جنسية أو جهوية.

ثانيا - أن تمارس الأعمال التجارية لغرض توزيع الأموال على أعضائها للمنفعة الشخصية أو استغلال الجمعية لغرض التهرب الضريبي.

ثالثا - أن تجمع الأموال لدعم أحزاب سياسية أو مرشحين مستقلين إلى انتخابات وطنية أو جهوية أو محلية أو أن تقدم الدعم المادي لهم ولا يشمل هذا التحجير حق الجمعية في التعبير عن آراءها السياسية ومواقفها من قضايا الشأن العام.

الفصل 5 - للجمعية:

أولا - حق الحصول على المعلومات.

ثانيا - حق تقييم دور مؤسسات الدولة وتقديم مقترحات لتحسين أدائها.

ثالثا - حق إقامة الاجتماعات والتظاهرات والمؤتمرات وورشات العمل وجميع الأنشطة المدنية الأخرى.

رابعا - حق نشر التقارير والمعلومات وطبع المنشورات واستطلاع الرأي.

الفصل 6 - يحجر على السلطات العمومية عرقلة نشاط الجمعيات أو تعطيله بصفة مباشرة أو غير مباشرة .

الفصل 7 - تتخذ الدولة جميع التدابير اللازمة التي تكفل لكل شخص حماية السلطات المختصة له من أي عنف أو تهديد أو انتقام أو تمييز ضار فعلا أو قانونا أو ضغط أو أي إجراء تعسفي آخر نتيجة لممارسته المشروعة للحقوق المشار إليها في هذا المرسوم.

الباب الثاني - تأسيس الجمعيات وتسييرها**الفصل 8 -**

أولا - لكل شخص طبيعي، تونسي أو أجنبي مقيم في تونس، حق تأسيس جمعية أو الانتماء إليها أو الانسحاب منها وفق أحكام هذا المرسوم.

ثانيا - يشترط في الشخص الطبيعي المؤسس أن لا يقل عمره عن ستة عشر (16) سنة.

الفصل 9 - لا يمكن أن يكون مؤسس ومسيرو الجمعية ممن يضطلعون بمسؤوليات ضمن الهياكل المركزية المسيرة للأحزاب السياسية.

الفصل 10 -

أولا - يخضع تأسيس الجمعيات إلى نظام التصريح.

ثانيا - على الراغبين في تأسيس جمعية أن يرسلوا إلى الكاتب العام للحكومة مكتوبا مضمون الوصول مع الإعلام بالبلوغ يتضمن:

أ- تصريحاً ينص على اسم الجمعية وموضوعها وأهدافها ومقرّها ومقرات فروعها إن وجدت.

ب-

– نسخة من بطاقة التعريف الوطنية للأشخاص الطبيعيين التونسيين المؤسسين للجمعية أو من بطاقة تعريف الولي عند الاقتضاء،

– نسخة من شهادة الإقامة في ما يخص الأجانب،

ج- نظيرين من النظام الأساسي ممضيين من طرف المؤسسين أو من يمثلهم ويجب أن يتضمن النظام الأساسي ما يأتي:

- (1) الاسم الرسمي للجمعية باللغة العربية وبلغة أجنبية عند الاقتضاء.
- (2) عنوان المقر الرئيسي للجمعية.
- (3) بياناً لأهداف الجمعية ووسائل تحقيقها
- (4) شروط العضوية وحالات انتهائها وحقوق العضو وواجباته.
- (5) بيان الهيكل التنظيمي للجمعية وطريقة الانتخاب وصلاحيات كل هيئة من هيئاتها.
- (6) تحديد الجهة داخل الجمعية التي لها صلاحية تعديل النظام الداخلي واتخاذ قرار الحل أو الاندماج أو التجزئة.
- (7) تحديد طرق اتخاذ القرارات وآليات فض النزاعات.
- (8) مبلغ الاشتراك الشهري أو السنوي إن وجد .

ثالثاً – يتثبت عدل منفذ عند إرسال المكتوب تضمنه البيانات المنصوص عليها أعلاه ويحرر محضراً في نظيرين يسلمهما لممثل الجمعية.

الفصل 11 –

أولاً – عند تسلم بطاقة الإعلام بالبلوغ يتولى من يمثل الجمعية، في أجل لا يتجاوز سبعة (7) أيام، إيداع إعلان بالمطبوعة الرسمية للجمهورية التونسية ينص على اسم الجمعية وموضوعها وهدفها ومقرها مرفقاً بنظير من الحجة الرسمية المذكورة أعلاه. وتنتشر المطبوعة الرسمية للجمهورية التونسية الإعلان وجوباً في الرائد الرسمي في أجل خمسة عشر (15) يوماً انطلاقاً من يوم إيداعه.

ثانياً – يعتبر عدم رجوع بطاقة الإعلام بالبلوغ في أجل ثلاثين (30) يوماً من إرسال المكتوب المشار إليه أعلاه بلوغاً.

الفصل 12 – تعتبر الجمعية مكونة قانوناً من يوم إرسال المكتوب المشار إليه في الفصل العاشر وتكتسب الشخصية القانونية انطلاقاً من تاريخ نشر الإعلان بالرائد الرسمي للجمهورية التونسية

الفصل 13 – للجمعيات المكونة قانوناً حق التقاضي والاكتمال والملكية والتصرف في مواردها وممتلكاتها. كما يمكن للجمعية أن تقبل المساعدات والتبرعات والهبات والوصايا.

الفصل 14 – يمكن لكل جمعية أن تقوم بالحق الشخصي أو أن تمارس الدعوى المتعلقة بأفعال تدخل في إطار موضوعها وأهدافها المنصوص عليها في نظامها الأساسي ولا يمكن للجمعية إذا ارتكبت الأفعال ضد أشخاص معينين بذواتهم مباشرة هذه الدعوى إلا بتكليف كتابي صريح من الأشخاص المعنيين بالأمر.

الفصل 15 – لا يعد مؤسسو ومسيرو وأجراء الجمعية والمنخرطين فيها مسؤولين شخصياً عن الالتزامات القانونية للجمعية، ولا يحق لدائني الجمعية مطالبتهم بسداد الديون من أموالهم الخاصة.

الفصل 16 – يعلم مسيرو الجمعية الكاتب العام للحكومة عن طريق مكتوب مضمون الوصول مع الإعلام بالبلوغ بكل تنقيح أدخل على نظامها الأساسي في أجل أقصاه شهر من تاريخ اتخاذ قرار التنقيح ويقع إعلام العموم بالتنقيح عبر وسائل الإعلام المكتوبة وعبر الموقع الإلكتروني للجمعية إن وجد.

الفصل 17 – للجمعية تحديد شروط العضوية الخاصة بها على أن لا تخالف أحكام هذا المرسوم ويشترط في عضو الجمعية أن يكون:

أولاً – تونسي الجنسية أو مقيماً في تونس .

ثانياً – بلغ ثلاثة عشر (13) سنة من العمر.

ثالثاً – قبل بالنظام الأساسي للجمعية كتابة.

رابعاً – دفع معلوم الاشتراك في الجمعية.

الفصل 18 – لا يجوز مشاركة أعضاء أو أجراء الجمعية في إعداد أو اتخاذ قرارات من شأنها أن تؤدي إلى تعارض بين مصالحهم الشخصية أو الوظيفية ومصالح الجمعية.

الفصل 19 –

أولاً – يضبط النظام الأساسي للجمعية وجوباً طرق تعليق نشاطها مؤقتاً أو حلها.

ثانياً – يضبط النظام الأساسي للجمعية قواعد تصفية أموالها والأصول الراجعة لها في صورة حلها بمبادرة منها وفق مقتضيات نظامها الأساسي.

الباب الثالث – الجمعيات الأجنبية

الفصل 20 – الجمعية الأجنبية فرع جمعية مؤسسة بموجب قانون دولة أخرى. يتأسس فرع الجمعية الأجنبية في تونس وفق أحكام هذا المرسوم.

الفصل 21 –

أولاً – يرسل ممثل الجمعية الأجنبية إلى الكاتب العام للحكومة مكتوباً مضمون الوصول مع الإعلام بالبلوغ يتضمن :

- (1) إثم الجمعية.

- (2) عنوان المقر الرئيسي لفرع الجمعية في تونس.
 - (3) بيانا للنشاطات التي يسعى فرع الجمعية إلى ممارستها في تونس.
 - (4) أسماء وعناوين مسيري فرع الجمعية الأجنبية التونسيين أو الأجانب المقيمين في تونس.
 - (5) نسخة من بطاقة تعريف المسيرين التونسيين ونسخة من شهادة إقامة أو من جواز سفر المسيرين الأجانب.
 - (6) نظيرين من النظام الأساسي ممضيين من طرف المؤسسين أو من يمثلهم.
 - (7) وثيقة رسمية تثبت أن الجمعية الأجنبية الأم مكونة قانوناً في بلدها.
- ثانياً - يشترط في المعلومات والوثائق المنصوص عليها في الفقرة الأولى من هذا الفصل أن تكون مترجمة إلى اللغة العربية بواسطة مترجم رسمي.
- ثالثاً - يثبت عدل منفذ عند إرسال المكتوب من أنه يتضمن البيانات المنصوص عليها أعلاه ويحرر محضراً في نظيرين يسلمهما لممثل الجمعية.

الفصل 22 -

أولاً - يمكن للكاتب العام للحكومة، عند التعارض الواضح بين النظام الأساسي للجمعية الأجنبية ومقتضيات الفصلين 3 و 4 من هذا المرسوم، أن يتخذ موقفاً معللاً في رفض تسجيل الجمعية الأجنبية وذلك في غضون ثلاثين (30) يوماً من تاريخ تسلم المكتوب المشار إليه في الفقرة الأولى من الفصل 21.

لمؤسسي فرع الجمعية الأجنبية بتونس الطعن في شرعية مقرر رفض التسجيل حسب الإجراءات المعمول بها في مادة تجاوز السلطة طبقاً لأحكام القانون عدد 40 لسنة 1972 المؤرخ في 1 جوان 1972 المتعلق بالمحكمة الإدارية .

ثانياً - عند تسلم الإعلام بالبلوغ أو عند الإعلام بقرار المحكمة الإدارية النهائي والقاضي بإلغاء مقرر الرفض، يتولى من يمثل فرع الجمعية الأجنبية في أجل لا يتجاوز سبعة (7) أيام إيداع إعلان بالمطبعة الرسمية للجمهورية التونسية ينص على اسم الجمعية وموضوعها وهدفها ومقرها مرفقاً بنظير من المحضر المذكور بالفقرة الثالثة من الفصل 21 أو بالقرار المذكور أعلاه .

تتشر المطبعة الرسمية للجمهورية التونسية الإعلان في الرائد الرسمي وجوبا في أجل أقصاه خمسة عشر (15) يوماً انطلاقاً من يوم إيداعه.

الفصل 23 -

أولاً - عند تسلم بطاقة الإعلام بالبلوغ يتولى من يمثل الجمعية الأجنبية في أجل لا يتجاوز سبعة (7) أيام إيداع إعلان بالمطبعة الرسمية للجمهورية التونسية ينص على اسم الجمعية وموضوعها وهدفها ومقرها مرفقاً بنظير من الحجة الرسمية المذكورة أعلاه. وتنتشر المطبعة الرسمية للجمهورية التونسية الإعلان وجوبا في الرائد الرسمي في أجل خمسة عشر (15) يوماً انطلاقاً من يوم إيداعه.

ثانياً - يعتبر عدم رجوع بطاقة الإعلام بالبلوغ في أجل ثلاثين (30) يوماً من إرسال المكتوب المشار إليه أعلاه بلوغاً.

الفصل 24 - للجمعية الأجنبية أن تؤسس في تونس فروعاً لها وفق أحكام هذا المرسوم.

الفصل 25 - تخضع الجمعيات الأجنبية في ما عدى أحكام هذا الباب لنفس نظام الجمعيات الوطنية.

الباب الرابع - شبكة الجمعيات

الفصل 26 - لأي جمعيتين أو أكثر تأسيس شبكة جمعيات.

الفصل 27 - يرسل من يمثل الشبكة إلى الكاتب العام للحكومة مكتوباً مضمون الوصول مع الإعلام بالبلوغ يتضمن:

- (1) بيان التأسيس.
 - (2) النظام الأساسي للشبكة.
 - (3) نسخة من الإعلان بتكوين الجمعيات المؤسسة للشبكة.
- يثبت عدل منفذ عند إرسال المكتوب أنه يتضمن البيانات المنصوص عليها أعلاه ويحرر محضراً في نظيرين يسلمهما لممثل الشبكة.

الفصل 28 -

أولاً - عند تسلم بطاقة الإعلام بالبلوغ يتولى من يمثل شبكة الجمعيات في أجل لا يتجاوز سبعة (7) أيام إيداع إعلان بالمطبعة الرسمية للجمهورية التونسية ينص على اسم الجمعية وموضوعها وهدفها ومقرها مرفقاً بنظير من الحجة الرسمية المذكورة أعلاه. وتنتشر المطبعة الرسمية للجمهورية التونسية الإعلان وجوبا في الرائد الرسمي في أجل خمسة عشر (15) يوماً انطلاقاً من يوم إيداعه.

ثانياً - يعتبر عدم رجوع بطاقة الإعلام بالبلوغ في أجل ثلاثين (30) يوماً من إرسال المكتوب المشار إليه أعلاه بلوغاً.

الفصل 29 - تكتسب الشبكة شخصية معنوية مستقلة عن شخصية الجمعيات المكونة لها.

الفصل 30 - للشبكة أن تقبل عضوية فروع الجمعيات الأجنبية.

الفصل 31 - تخضع الشبكة في ما عدى أحكام هذا الباب لنفس نظام الجمعيات الوطنية .

الباب الخامس - الدمج والحل

الفصل 32 -

أولاً - للجمعيات ذات الأهداف المتماثلة أو المتقاربة، أن تندمج مع بعضها وتكون جمعية واحدة وذلك وفقاً للنظام الأساسي لكل منها .

ثانياً - تخضع إجراءات الدمج وتأسيس الجمعية الجديدة لأحكام هذا المرسوم .

الفصل 33 -

أولاً - يكون حل الجمعية إما اختيارياً بقرار من أعضائها وفق نظامها الأساسي، أو قضائياً بمقتضى قرار من المحكمة. ثانياً - إذا اتخذت الجمعية قرارها بالحل فعليها إبلاغ الكاتب العام للحكومة به عن طريق مكتوب مضمون الوصول مع الإعلام بالبلوغ، خلال ثلاثين (30) يوماً من تاريخ صدوره وتعيين مصفي قضائي. ثالثاً - في حالة صدور قرار قضائي بالحل تقوم المحكمة بتعيين المصفي. رابعاً - تقدم الجمعية لأغراض التصفية بياناً بأموالها المنقولة وغير المنقولة ويعتمد هذا البيان في الوفاء بالتزاماتها ويوزع المتبقي منها وفق النظام الأساسي للجمعية، إلا إذا كانت تلك الأموال متأتية من المساعدات والتبرعات والهبات والوصايا فتؤول إلى جمعية أخرى تماثلها في الأهداف تحددها الهيئة المختصة للجمعية.

الباب السادس - الأحكام المالية

الفصل 34 - تتكون موارد الجمعية من:

- أولاً - اشتراكات الأعضاء.
 - ثانياً - المساعدات العمومية.
 - ثالثاً - التبرعات والهبات والوصايا، وطنية كانت أو أجنبية.
 - رابعاً - العائدات الناتجة عن ممتلكات الجمعية ونشاطاتها ومشاريعها.
- الفصل 35 -** يحجر على الجمعيات قبول مساعدات أو تبرعات أو هبات صادرة عن دول لا تربطها بتونس علاقات دبلوماسية أو عن منظمات تدافع عن مصالح وسياسات تلك الدول.
- الفصل 36 -** على الدولة تخصيص المبالغ اللازمة ضمن الميزانية لمساعدة ودعم الجمعيات على أساس الكفاءة والمشاريع والنشاطات وتضبط معايير التمويل العمومي بأمر.
- الفصل 37 -**

- أولاً - تلتزم الجمعية بصرف مواردها على النشاطات التي تحقق أهدافها.
- ثانياً - للجمعية المشاركة في طلبات العروض التي تعلن عنها السلطات العمومية على أن تدخل المواد أو الخدمات المطلوبة في طلب العرض ضمن مجال اختصاص الجمعية.
- ثالثاً - للجمعية حق تملك العقارات بالقدر الضروري لاتخاذ مركز لها ومراكز لفروعها أو محل لاجتماع أعضائها أو لتحقيق أهدافها وفقاً للقانون.
- رابعاً - للجمعية حق التقويت في أي عقار لم يعد ضرورياً لأهدافها وفق القانون ويعد ثمن العقار مورداً لها.

الفصل 38 -

- أولاً - تتم كل المعاملات المالية للجمعية صرفاً ودخلاً بواسطة تحويلات أو شيكات بنكية أو بريدية إذا تجاوزت قيمتها مبلغ خمسمائة (500) دينار ولا يمكن تجزئة هذه المصاريف أو المداخل لكي لا تتجاوز القيمة المذكورة.
- ثانياً - لا يجوز تجميد الحسابات البنكية أو البريدية للجمعيات إلا بقرار قضائي.

الباب السابع - السجلات والتثبت من الحسابات

الفصل 39 -

- أولاً - تمسك الجمعية محاسبة طبق النظام المحاسبي للمؤسسات المنصوص عليه بالقانون عدد 112 لسنة 1996 المؤرخ في 30 ديسمبر 1996 المتعلق بنظام المحاسبة للمؤسسات.
- ثانياً - تضبط المعايير المحاسبية الخاصة بالجمعيات بقرار من وزير المالية.

الفصل 40 - تمسك الجمعية وفروعها كذلك السجلات الآتية :

- أولاً - سجل الأعضاء تدون فيه أسماء أعضاء الجمعية وعناوينهم وجنسياتهم وأعمارهم ومهنتهم.
- ثانياً - سجل مداورات هياكل تسيير الجمعية.
- ثالثاً - سجل النشاطات والمشاريع، ويدون فيه نوع النشاط أو المشروع.
- رابعاً - سجل المساعدات والتبرعات والهبات والوصايا مع التمييز بين النقدي منها والعيني، العمومي والخاص، الوطني والأجنبي.

- الفصل 41 -** تنشر الجمعية المساعدات والتبرعات والهبات الأجنبية وتذكر مصدرها وقيمتها وموضوعها بإحدى وسائل الإعلام المكتوبة وبالموقع الإلكتروني للجمعية إن وجد في ظرف شهر من تاريخ قرار طلبها أو قبولها وتعلم الكاتب العام للحكومة بكل ذلك بمكتوب مضمون الوصول مع الإعلام بالبلوغ في نفس الأجل.

الفصل 42 - تحتفظ الجمعية بوثائقها وسجلاتها المالية لمدة عشر (10) سنوات.

الفصل 43 -

- أولاً - على كل جمعية تتجاوز مواردها السنوية مائة ألف (100.000) دينار تعيين مراقباً لحساباتها يتم اختياره من ضمن خبراء محاسبين مرسمين بجدول هيئة الخبراء المحاسبين بالبلاد التونسية أو مرسمين بجدول مجمع المحاسبين بالبلاد التونسية في قائمة "المختصين في الحسابية".
- ثانياً - على الجمعيات التي تتجاوز مواردها السنوية مليون (1.000.000) دينار أن تختار مراقباً أو عدة مراقبي حسابات من بين المرسمين بجدول هيئة الخبراء المحاسبين بالبلاد التونسية.
- ثالثاً - تعين الجلسة العامة العادية للجمعية مراقباً أو مراقبي حساباتها لمدة ثلاث سنوات غير قابلة للتجديد.
- رابعاً - تتم مهمة مراقبة حسابات الجمعيات حسب معايير تضبطها هيئة الخبراء المحاسبين بالبلاد التونسية.
- خامساً - يرفع مراقب الحسابات تقريره إلى الكاتب العام للحكومة وإلى رئيس الهيئة المديرة للجمعية في أجل شهر ابتداء من تاريخ تبليغه القوائم المالية للجمعية. وفي صورة تعدد مراقبي الحسابات وعند اختلافهم في الرأي، يجب إعداد تقرير مشترك يتضمن وجهة نظر كل واحد منهم.

سادسا - تتكفل الجمعية بخلاص أتعاب مراقب الحسابات و يتم تحديد هذه الأتعاب بالرجوع إلى الجدول الجاري به العمل بالنسبة إلى مدققي الحسابات لدى المؤسسات بالبلاد التونسية .

سابعا - على ضوء تقرير مراقبة الحسابات تصادق الجلسة العامة العادية على القوائم المالية للجمعية أو ترفض المصادقة عليها وفي صورة عدم المصادقة تنطبق أحكام الباب الثامن من هذا المرسوم.

ثامنا - تنشر الجمعية قوائمها المالية مرفقة بتقرير مراقبة الحسابات بإحدى وسائل الإعلام المكتوبة وبالموقع الإلكتروني للجمعية إن وجد في ظرف شهر من تاريخ المصادقة على هذه القوائم المالية.

الفصل 44 - تقدم كل جمعية تستفيد من المال العمومي تقريراً سنوياً يشمل وصفا مفصلا لمصادر تمويلها ونفقاتها إلى دائرة المحاسبات

الباب الثامن - العقوبات

الفصل 45 - كل مخالفة لأحكام الفصول 3 و 4 و 8 و 9 و 10 و 16 و 17 و 18 و 19 و 27 و 33 و 35 و 37 و 38 و 39 و 40 و 41 و 42 و 43 و 44 تعرض الجمعية لعقوبات طبقا للإجراءات التالية:

(1) التنبيه: يحدد الكاتب العام للحكومة المخالفة المرتكبة وينبه الجمعية بضرورة إزالتها خلال مدة لا تزيد عن ثلاثين يوما (30) انطلافا من تاريخ تبليغ التنبيه.

(2) تعليق نشاط الجمعية : يتم بقرار من رئيس المحكمة الابتدائية بتونس بمقتضى إذن على عريضة يقدمه الكاتب العام للحكومة ولمدة لا تزيد عن ثلاثين يوماً (30) إذا لم تتم إزالة المخالفة خلال المدة المنصوص عليها بالفقرة الأولى من هذا الفصل. للجمعية الطعن في قرار التعليق وفق إجراءات القضاء الاستعجالي.

(3) الحل: يتم حل الجمعية بحكم صادر عن المحكمة الابتدائية بتونس بطلب من الكاتب العام للحكومة أو ممن له مصلحة وذلك في حالة تمادي الجمعية في المخالفة رغم التنبيه عليها وتعليق نشاطها واستنفاد طرق الطعن في شأن قرار التعليق .

تنطبق أحكام مجلة المرافعات المدنية والتجارية في الإجراءات القضائية المتعلقة بحل الجمعية وتصفية أملاكها.

الباب التاسع - أحكام انتقالية وختامية

الفصل 46 - ألغى القانون عدد 154 المؤرخ في 7 نوفمبر 1959 المتعلق بالجمعيات والقانون الأساسي عدد 80 المؤرخ في 26 جويلية 1993 المتعلق بانتصاب المنظمات غير الحكومية بالبلاد التونسية.

الفصل 47 - لا تنطبق أحكام هذا المرسوم على الجمعيات الخاضعة لأنظمة قانونية خاصة.

الفصل 48 - لا تنطبق أحكام الباب الثاني من هذا المرسوم المتعلقة بالتأسيس على الجمعيات والمنظمات غير الحكومية الموجودة بالبلاد التونسية بصفة قانونية في تاريخ دخول هذا المرسوم حيز التنفيذ.

غير أنه يتعين عليها الامتثال لأحكام هذا المرسوم فيما عدا الأحكام المتعلقة بالتأسيس في أجل سنة بداية من تاريخ دخول هذا المرسوم حيز التنفيذ.

الفصل 49 - ينشر هذا المرسوم بالرائد الرسمي للجمهورية التونسية ويدخل حيز التنفيذ من تاريخ نشره.

تونس في 24 سبتمبر 2011

Appendix 5: List of the Associations Surveyed

<i>Association</i>	<i>Governorate</i>
Citizenship and Democracy	Nabeul
"Transparency"	Mahdia
Women's Voices	Mahdia
Mouwatinet	Sfax
Errafik	Sfax
El Amen	Sfax
Women and Progress	Kef
Insaf Elkef for Sustainable Development	Kef
Women and Progress +	Kef
Chabaab net Kasserine	Kasserine
Amel for Development and Solidarity	Kasserine
Association of the Development of the Rural Woman	Kasserine
Association of Women from Kasserine	Kasserine
Nama for Citizenship and Development	Sidi Bouzid
UNESCO Club of Sidi Bouzid	Sidi Bouzid
Association of Décembre 17	Sidi Bouzid
Citizenship Center for the Promotion of the Democratic Process	Sidi Bouzid
Elbaouwaba for Development Alternatives	Gabes
Gabès Action	Gabes
Al Karama	Médenine
Association for the Promotion of Development and Human Rights	Médenine
Citizenship and Human Rights	Médenine
Association for Fundamental Rights and Public Liberties	Tataouine
Association for the Defense of Human Rights	Tataouine
Feminine Association Nour	Tataouine
« Man »	Gafsa
"Tunisie Charity"	Gafsa
Tunisian Association Tunisienne of IT Specialists in Djerid	Tozeur
Association for the Development of Women in Djerid	Tozeur
The Hive of Civil Society	Tozeur
"Transparence"	Kébili
Aswat Nisa	Tunis
Tunisian Association for the Integrity and Democracy of Elections (ATIDE)	Tunis
Independent Youth Democrats	Tunis

Appendix 6 : Needs Analysis Questionnaire for CSOs

What are your needs in relation to the following aspects?		Level of importance of the needs			
		1: not really important 2: more or less 3: important but not a priority 4: high priority			
		1	2	3	4
Organizational strategy	Developing a mission, vision and goals				
	Development of an organizational structure for the association				
	Development of management skills and leadership				
	Development of a system for monitoring and evaluating the success of the organization in relation to its goals				
Project Management	Project work (identification and planning)				
	Implementation of projects (execution)				
	Development of a system for evaluating projects (i.e., impact study)				
Financial management	Fund seeking strategies				
	Knowledge of donors operating in Tunisia				
	Fund Seeking grant proposals				
	EU grant-seeking training				
	Preparation and monitoring of budgets				
	Training in accounting / financial management				
Staff management	Training for volunteers (involvement, motivation)				
	Training for employees (administrative or technical management)				
Communication and Media	Preparation of project reports for wide dissemination				
	Valorization of projects and communication with different stakeholders (target audience, media, public / private institutions)				
	Advocacy skills (or lobbying) with institutions (government, governor, mayor)				
	Strategies of media communication (media relations)				
Exchange and networking	Organization of joint seminars for local stakeholders				
	Twinning with other NGOs (regional or international)				
	Organization of educational / informative stays				
	Staff exchange between NGOs from the South and the North of the Mediterranean				
	Support for networking / partnership				
Logistics	Technical assistance for specific projects				
	Logistical assistance (renting premises)				
	Logistical assistance (for the purchase of office equipment)				
Stakeholder engagement	Collaboration avec le secteur privé				
	Mobilisation des communautés autour des objectifs/activités de l'association				

Appendix 7: Survey Questionnaire for CSOs

1. IDENTIFICATION

1.1 Contacts of the Association

1.1.1 Name of the Association

In Arabic

In French

1.1.2 Address:

1.1.3 Locality

1.1.4 Delegation:

1.1.5 Governorate:

1.1.6 Phone:

1.1.7 Fax:

1.1.8 Email of the Association:

1.1.9 Website:

1.1.10 FB Page:

1.2 Members of the Steering Committee

1.2.1 Total number of members of the steering committee:

1.2.2 Number of women in the steering committee:

1.2.3 Main Officials of the steering committee:

	First Name and Family Name	e-mail	Telephone	Level education of
President				
Vice-President				
Secretary General				

1.3 Association Profile

1.3.1 Date of Creation:

1.3.2 Publication in JORT (date and number of JORT):

1.3.3 Category under the law of 1959 (revised 1992)

- Women's Associations ☐
- Sports Associations ☐
- Scientific Associations ☐
- Cultural and Artistic associations ☐
- Charitable, Relief and Social Associations ☐
- Development Associations ☐
- Social Clubs ☐
- General-purpose Associations ☐

1.3.4 Does the association have chapters?

1.3.5 Does the association have premises?

1.3.6 If yes, is the association leasing or are the premises made available free of charge?

1.3.7 In the latter case, by whom?

2. CHARACTERISTICS OF THE ASSOCIATION

2.1 Why did you create the association?

2.2 How would you describe the target audience of your association (age, standard of life, environment, socio-professional category, etc.)? Are you looking for a specific profile ?

2.3 What are the areas of activity of the association? What are the main activities?

2.4 What is the geographic coverage of your activities (district, municipality, locality, city, governorate, region, country)?

3. Human Resources

3.1 General Information about the Staff

	Age			% of women	Level of education:		
	Younger than 25 years old	25-39	Older than 40 years old		Primary	Secondary	Higher
Founding members							
Steering Committee							
Employees							
Volunteers							

3.1.1 What is the volunteer contribution of the Steering Committee (in kind, time spent, etc.?)

3.1.2 How does the association motivate the volunteers?

3.2 Staff Experience and training

3.2.1 Have the staff had previous experience in community life? No

3.2.2 Have the staff received training? Nature of training (mention any training received as a member of the Association)?

3.2.3 Have the staff received training on human rights (in human rights education, defense, or advocacy)?

3.2.4 What are the needs in terms of staff development?

3.3 Staff Recruitment

3.3.1 How do you recruit your staff (calls for applications, employment office, acquaintances)?

3.3.2 Do you have a written description of positions, functions, tasks and responsibilities?

3.3.3 If you do not recruit, why?

3.3.4 Do you think that the number of staff is enough to manage current and future projects?

4. GOVERNANCE:

4.1 Organization of the Association

4.1.1 Does the NGO possess a written document defining the vision, mission and objectives of the association (other than the statutes: ex. leaflets, posters)? If not, why?

4.1.2 How often does the association hold meetings (strategic reflection, steering committee, etc.)?

4.1.3 Are the meetings recorded? Are the minutes distributed to members?

4.1.4 Are the directors / founding members or other members active in other associations? What kind? what role do they play?

4.2 Transparency and information sharing

4.2.1 Are the different members of staff regularly informed of the decisions / directions taken by the leadership of the association?

4.2.2 Do you make public your financial statements, or simply the financial situation (single notes, flyers, newsletters, ...)? How often? Are they communicated to your members?

4.2.3 Do you make available your financial statements to donors or other stakeholders? If yes, on your own initiative or only on request? If this is your initiative, what goal? (Convince a donor, respect the rules of the association.

4.2.4 Are the members of organization involved in decision making? At what level? Describe how? If not, why?

4.2.5 Are the members of the steering committee also members of/active in political parties?

4.2.6 Do you involve political parties in your activities? If so, in what form? If not, why?

5. FINANCIAL RESOURCES:

5.1 General information on funding

5.1.1 What sources of funding has your association received (in value) over the last 3 years?

	2010	2011	2012
Members' fees			
Donations/state subsidies			
Funds raised through activities			
Calls for projects (national organizations)			
Calls for projects (international organizations)			
Number of projects implemented			

5.1.2 What is the procedure for raising funds (that is, do you seek calls for projects or do you develop the project first and then look for funding)?

5.1.3 Do you manage to receive funding for the projects you develop? If not, what are the obstacles? According to you, what is your strength in the success of fundraising?

5.2 Relations with donors

5.2.1 How many donors have been able to finance (national / international)?

5.2.2 Do you have regular contacts with rather "loyal" donors? Are they public? Private?

5.2.3 Do donors exclusively finance specific aspects of your activity (eg, rent, staff salaries, advertising flyers, etc.).

5.2.4 On a regular basis, is a project funded by one or more donors (each financing part of the budget)?

5.2.5 Do donors invite you to apply for the projects they fund?

5.2.6 Do your donors also fund other NGOs in the region (or city)? Are projects similar to/different from yours?

5.2.7 If you do not get funding for a donor, do you negotiate?

5.2.8 Do you contact other donors for the same project? Or do you adjust the project to suit the objectives of the initial donor? In that case, can the project deviate from the original target?

5.3 What are your expectations for the support that donors could provide?

6. PARTNERSHIP

6.1 NETWORKING

6.1.1 Are you part of a network of associations? Which one? With what other associations?

6.1.2 Is the network official (written commitment from both parts) or do you simply share joint actions?

6.1.3 How and why have you become a member of it / contributed to it?

6.2 Networking Evaluation

6.2.1 How many projects have you carried out with the network(s)?

6.2.2 What is the level of involvement of your association in the network's activities (fund seeking, effective implementation of the project in the field ...)

6.2.3 Do you think this collaboration is helpful? Why? Why not?

6.2.4 if not, are you interested in networking? Why? Is this part of your mission?

6.3 Networking Opportunities

6.3.1 Do you know of other associations which are active in the same field (national, regional and local)?

6.3.2 Have you realized joint projects with other associations? If not, why?

6.3.3 Do you know of local public actors that work in the same field as yours?

6.3.4 Do you involve public actors in your activities? At what level / how?

6.4 Collaboration with the media

6.4.1 Do you collaborate regularly with the media? Otherwise, why not? If yes, which media and how (give examples)? Is there a strategy or written rules regarding this collaboration?

6.4.2 What does the association aim to achieve through collaboration with the media? Specify with examples (visibility of its activities to the public, defense / advocacy on behalf of the target audience, participation in the public debate)?

6.4.3 Do you want to strengthen your collaboration with the media? If yes, how do you think you can achieve this?

7. OPERATIONAL PERFORMANCE

7.1 Decision making

7.1.1 In general, who takes the initiative to launch the project (the president, members, volunteers or people outside of the association)? Is the project systematically discussed within the association (in a meeting)? To what extent do initiatives and projects achieved express the aims and objectives of the association?

7.2 Planning and Budgeting

7.2.1 Is there a program, a schedule of planned activities for the year? Who initiates it? Is it systematically discussed within the association (in a meeting)?

7.2.2 Do you budget your activities as soon as they are planned and approved or rather expect to find a donor to submit a budget?

7.2.3 Are the approved budgets respected? If not, why? What adjustments do you bring?

7.2.4 When you carry out activities, is the money needed always available? If not, why?

7.2.5 Do you keep good bookkeeping records? Do you keep all supporting documents?

7.3 Monitoring and evaluation

7.3.1 Does the association have a monitoring and evaluation system for projects through indicators?

7.3.2 If yes, how is it used? Give examples (project improvement, development of new projects, broadening of the target audience, dissemination of the information to donors, advocacy ...)

7.3.3 Is it a decision made by the association, or is it requested by donors?

7.3.4 Is the gender dimension considered in your activities? Do you have indicators? How the information is collected (open interview, questionnaire ...)

7.3.5 How can you describe the role and the effectiveness of your activities with the target audience? Which indicators do you use?

7.4 Are the target population and other stakeholders of the project involved (consulted) at the beginning of the project (design, goal setting ...)?

7.5 How do you make sure that your activities meet the aspirations (expectations/needs) of the target population?

7.6 What main difficulties / constraints do you face in your actions?

Appendix 8: Interview Guide for donors

This guide covers two aspects of the intervention of donors in supporting CSOs related to (i) the volume of resources used and (ii) areas of intervention with special focus on capacity building.

1. Since when has support for CSOs been part of your intervention strategy in Tunisia?
 2. How important are the amounts allocated to support programs and projects funded (in relative and absolute terms)?
 3. What is the geographical distribution?
 4. To what extent did the uprising of January 2011 change your strategy vis-à-vis CSOs? (Scale of intervention, nature of the programs ...)
- Support to CSOs:

5. What are the focus areas prioritized by your institution and the means used for this purpose?
 - a. capacity building
 - b. project funding
 - c. financing CSOs' operating expenses ...

Capacity building:

6. What is the importance granted to the different components of capacity building , in terms of projects funded and amounts paid?
 - a. Leadership Development
 - b. Capacity management (governance, transparency)
 - c. Human Resource Management (training)
 - d. Management of financial resources (fundraising)
7. Does your institution favor / encourage the networking of CSOs or collaboration with public / private organizations?
8. Are you using performance indicators for the CSOs selected for your programs? What are the components?
9. Do you have instruments to assess the impact of your programs focused on CSOs' capacity building? How do you rate your experience with CSOs regarding capacity building?

CSOs should be an integral part of democracy building in Tunisia

10. In your opinion, what is the capacity of CSOs in Tunisia to engage in the political dialogue, both at the national and local levels, and to influence decision-making? What are the strengths / weaknesses? What are the skills to develop / build? How to use those advantages and skills? How to remedy weaknesses?
11. How does your institution see its involvement in the future, in terms of support for CSOs? What are the priority areas?